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U.S. ARMY CORPS OF ENGINEERS

NEW ENGLAND DISTRICT

PUBLIC SCOPING SESSION held at the Barnstable Town
Hall, 2nd Floor Hearing Room, 367 Main Street,
Village of Hyannis, Massachusetts, on Thursday,
April 11, 2002, commencing at 5:30 p.m. concerning:

CAPE WIND SINGLE DATA TOWER

PERMIT APPLICATION

BEFORE:

Larry Rosenberg, as Moderator

Colonel Brian Osterndorf, as Hearing Officer

Karen Adams, Chief, Permits and Enforcement Branch

New England District, US Army Corps of Engineers

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P R O C E E D I N G S

MODERATOR ROSENBERG: Good evening.

AUDIENCE PARTICIPANTS: Good evening.

MODERATOR ROSENBERG: Thank you. Good evening and welcome to this public hearing on a permit application submitted by Cape Wind Associates for their proposal to install and maintain a scientific measurement device in the ocean waters of Nantucket Sound in Massachusetts.

My name is Larry Rosenberg. I'm the Chief of Public Affairs for the United States Army Corps of Engineers for New England, and I will your moderator and your facilitator this evening.

Our Hearing Officer tonight is Colonel Brian Osterndorf, the District's Engineer for the United States Army Corp of Engineers in New England.

Before we begin, I would like to thank you for getting involved in this environmental permitting review process. You see, we're here tonight to listen to your comments, to understand your concerns and to provide you an opportunity to appear on the record should you care to do so. This forum is yours.

Should you need copies of the public notice, the hearing procedure, or other pertinent information, it is available at the tables underneath the screen; and some information is available at the registration desk; and there is also information available at this door from various advocate organizations. Please make yourself avail -- please make this information available to you and use it.

The agenda for this evening is following this introduction, Colonel Osterndorf will address the hearing. He will be followed by Mrs. Karen Adams, our Chief of the Massachusetts Permits and Enforcement Branch, who will discuss both the application and the Corps' authorities; and then she will introduce the project applicant, who will discuss the project in question for tonight in very general terms.

Following that short presentation, we will begin receiving your comments according to our protocol. Please feel free to bring up any and all topics that you feel need to be discussed on the record regarding this single tower. I assure you that all your comments will be addressed during this

permit environmental review process.

Additionally, for your convenience, a stenographer is available right through here, if you would -- if you wish to dictate a statement for the record, rather than making a formal presentation. I should tell you right now that the formal presentation, because of the amount of people tonight will be limited to three minutes.

So if you need to make longer statements, please make the individual stenographer available to yourself.

It is very important that you know that no decision has been made by the Corps of Engineers with regards to this single power proposal.

Furthermore, the Corps is not here to defend any aspect of this proposed activity. We are here to listen to what's on your mind concerning this proposed activity. You should also know that before any decision is made, we must take into consideration both the environmental concerns and all of the issues that are of interest to you.

You know, as a direct result of having this type of open process, we at the Corps of Engineers have been able to overcome many of the

difficulties other agencies face during the public review period, and the reason for that is simple. We, the Army Corps of Engineers, we choose to listen to your thoughts regarding the proposed activities. Your voice is necessary, especially those of you, who feel impacted by the project, to assist us in this permitting and environmental review process.

Before we begin, I would like to remind you of the importance of filling out those blue cards. These cards serve two purposes.

First, they let us know that you're interested in this permitting process so we can keep you informed should you wish that.

Secondly, they provide me a list of who is going to speak tonight. Now, if you did not complete a card, but wish to speak or receive future information regarding this permit, please do.

The last item, once again, we are here to receive your comments, not to enter into any discussion of those comments, or to reach any conclusions. Any questions you have should be directed to the record and not to the individuals on the panel.

Thank you very much.

Ladies and gentlemen, Colonel Osterndorf.

COLONEL BRIAN OSTERNDORF: Having a full house here tonight, I will be brief. I do also thank you for being here. The fact that there are so many of you here probably is itself a statement of the level of interest that you all have in this particular set of topics.

This is a public hearing. Not a debate. Not a dialogue. We are really here to listen to you, but we are going to go ahead and have Larry come back later on and kind of lay out some of the rules of the road; and again as a common courtesy, would ask if you allow people to speak their minds for their three minutes, and then they will afford you that same courtesy.

This is an ongoing process. We have had several public meetings already, a couple in March that were scoping sessions for the purposes of determining the types of EIS questions that we would ask of the applicant; and again, those were well attended.

There was a public scoping session that was held back in December as well, the state ran.

This is -- this is more of a single-question focus.

Again, Larry said this is for the purposes of determining whether or not we should grant a permit for a single structure designed to go ahead and gather data, again, for the purposes of answering and addressing some of the questions that we have about potential environmental impacts.

I just also want to get out in front of perhaps an issue that has been bubbling around here lately about the proposed legislation to look at who it is in the federal government might have authority to -- to provide leases in the outer continental shelf, as many of you perhaps have read that article in the local papers. That's again an item of proposed legislation. We don't necessarily know what its impact will be, or when or if it will actually be enacted.

What I'm going to ask Karen Adams to do after me though is to lay out some of the authorities that are already extant that the Corps has to deal with those issues. Whatever legislation comes around, we still have our authority to -- to deal with, and so all of the questions that we will have to ultimately answer all of the things you have

to say to us about those will still be part of the process. And, in fact, whatever government agency might have a lead in this, they would follow a very similar process, and so we would not be redundant. This is precisely the type of thing that anybody would have to get to under our National Environmental Policy Act.

So I would like to go ahead and turn over to Karen Adams now and have her go through again what our role as the Corps is in meeting our obligations to certain of the authorities that are granted to us by Congress.

MS. ADAMS: Good evening. I'm Karen Adams, Chief of the Permits and Enforcement Branch of the New England District of the US Army Corps of Engineers.

Tonight's public hearing is being conducted as part of the Corps of Engineers regulatory responsibilities to seek out public input for inclusion in our public interest review.

Our authorities are statutory and include Section 10 of the Rivers and Harbors Act and the National Environmental Policy Act, often referred to as NEPA.

In November, we received a permit application from Cape Wind Associates for installation of 170 offshore wind turbines in Nantucket Sound. We also received a separate application for a single scientific data gathering tower within the same area.

In response to our public notice regarding the data gathering tower, you requested a public hearing. So we have extended the comment period, and we are here in Barnstable to listen to you.

I would like to briefly review the Corps of Engineers' responsibilities in this process: First, the Corps' New England District received a permit application from Cape Wind Associates in late November for a Section 10 individual permit, for the installation of a single data gathering tower in federal waters off the coast of Massachusetts in Nantucket Sound. This application has been more fully described in our public notice dated December 4th, 2001, copies of which are available here this evening. These copies include revised Sheets 2 and 3 of the plans that have been recently submitted by the applicant. There have been some

changes to the dimensions of the proposed structure.

The Corps of Engineers' regulatory authority for the permit application derives from Section 10 of the Rivers and Harbors Act, which authorizes the Corps to regulate structures and work in navigable waters in the United States.

As part of our regulatory responsibilities, a number of other federal laws apply, including the National Environmental Policy Act, NEPA. For every permit application, the Corps must decide if an environmental assessment, or full Environmental Impact Statement (EIS) is necessary to comply with NEPA.

No decision has been made yet as to whether an environmental assessment or EIS will be completed for the data gathering tower. An EIS is being done for the wind power project proposed by Cape Wind Associates. This data gathering tower could be used to provide some of the data for that EIS.

Any additional comments need to be submitted to us by May 13th. It is important for you to understand that the permit decision has not been made. This hearing, and any input you offer,

will be used to help evaluate the tower proposal.

We welcome your help.

Information on issues, resources, alternatives, available studies, data or maps would be most useful to us. All factors which may be relevant to the proposal will be considered prior to our making a decision, and those factors include, but are not limited to: Conservation, economics, aesthetics, environment, fish and wildlife values, navigation, recreation, water supply, food production, and in general the needs and welfare of the American people.

I will now introduce two representatives of the project proponents to provide a brief description of the project being discussed this evening. Mr. Craig Olmsted is Vice President of EMI Cape Wind. Mr. Charles Natale is with Environmental Science Services, their consultant.

Mr. Olmsted and Mr. Natale.

CRAIG OLMSTED: I am going to try and give you a quick thumbnail of what this monitoring tower is all about. If you could assist me with the camera, I would appreciate it.

What this is --

AUDIENCE PARTICIPATE: Pick up the mic.

CRAIG OLMSTED: The goal of this tower is to gather meteorological and oceanographic data, and it's going to have two major functions. It's going to allow us to calibrate some existing modeling that we have now both on wind and current. In other words, we have been doing analytical models. This will give us information to let us determine whether or not those models have been accurate based on some real-time data that we are going to be gathering in Nantucket Sound.

In addition to that, we have been using long-term data sets from other monitoring devices in and around the area, and this is going to allow us to see how the correlation works with -- with the existing devices, as well as this new, much more sophisticated one.

Charlie, the next one.

The tower is going to have a number of levels of meteorological instrumentation, three levels of anemometers, wind vanes, and it's going to take all sorts of ambient conditions as well, barometric pressures and temperatures.

In addition, there is this acoustic

Doppler current profiler, and that goes under the water; and what that is going to do is allow us to determine tidal currents, height and directions of tides and quite a bit of information about wave data in that area. And that is -- that is, again, that is for our sediment transport modeling and things of that nature.

Charlie.

To give you an idea of exactly where the location is, at the end of that red arrow, it is relatively centrally located within Nantucket Sound. So that the meteorological data will be representative of the entire area, and the current data that we collect in varying degrees depends upon the particular type of data will tend to be more localized in that particular area of the Sound.

Charlie.

This is an elevation of the entire tower, and it's a little bit different than the one you have seen. As Ms. Adams mentioned a little bit earlier, relative to the ones that were published in the paper earlier on, this is now a single monopole, as opposed to a lattice tower. And you can see clearly the three levels of instrumentation at about

the 60 meter, 40 meter and 20 meter elevations, and a platform that is set about 33 feet above mean low water. And then it's in water that's approximately 13 feet in depth.

Charlie.

And that's just a close-up of what the actual platform would look like and the three piles we're proposing. Those are three 36-inch diameter open-ended steel piles. There is a fender system where a small craft would approach, approach to have people get off on a ladder for maintenance and data collection purposes. They would go up that ladder into a safety cage. There is a locked hatch for security reasons, and then there is a -- you can see a safety handrail around there.

Also on this -- on this device will be proper Coast Guard MFA markings, and we -- well, we visited both agencies and described these, and they have had no problems with this as long as they are properly marked and identified.

And I think the schedule, we would like to begin the fabrication of this sometime this summer and installation late in the summer with operation hopefully by early fall, and the data

collection period would be on the order of two or more years.

Charlie.

This is Mr. Charlie Natale of ESS to describe a little bit about the environmental issues.

CHARLES NATALE: Thank you, Craig.

As you saw from the drawings, the met. tower is basically a pile supported structure, a typical application of a marine environment. We chose piles for obvious reasons in terms of minimizing the sea bed disturbance versus a solid fill, or a type of a gravity-type structure. The pile system will, as you saw from the figures, support a platform and then support the monopole, which will contain all of our and house all of our instrumentation for the meteorological equipment.

It will also serve as the basis where we will have solar panels. This will be an entirely solar powered unit in the offshore area, and all of the energy that is needed to drive the equipment in terms of the measurements and actual telemetry back to the main PC will be provided by solar energy.

There will not be any cable systems

connecting the tower from -- to the mainland. These again will be all done by radio telemetry antennas. And as Craig mentioned, the FAA and Coast Guard approved lighting scheme, that this tower will be lit in accordance with US Coast Guard requirements for aids to navigation and, in fact, would serve as a private aid to navigation, and the FAA lighting is in conformance with FAA lights for similar structures.

In terms of the overall environmental affects on this, another reason why we chose a pile-supported structure was that it's easy to construct. It's a very typical application of a marine environment, does not alter wave or current patterns or sediment transport patterns. So from an environmental impact perspective, the structure is very sensitive to that; and again, solar powered so there won't be any cable connections or other things that will need to be connected to the mainland.

That's it.

MODERATOR ROSENBERG: All right. Thank you.

Ladies and gentlemen, it is crucial to this public process that your voice is heard, and

we're here to listen, to listen to your comments, to understand your concerns and provide you an opportunity to go on the record should you care to do so.

You should be aware that subsequent to any decision that is made by the Army Corps of Engineers, we conduct a broad-based public interest review. This hearing is part of that review. Furthermore, in order to make any decisions regarding this permit application, we, the Corps of Engineers, need to have you involve yourself in this environmental review, not just tonight, but throughout the entire process.

The hearing tonight will be conducted in a manner that all who desire to speak will be given an opportunity. To preserve the right of all to express their views, I ask that there be no interruptions.

When you came in, copies of the public notice and the hearing procedures to be followed for this meeting were available at that table over there. If you did not receive them, both are still available, and please make them available to yourself.

I will not read either -- either the procedures or the public notice, but they will be entered into the record.

A transcript of this meeting is being prepared, and the record for this hearing will remain open until May 13th, 2002.

All comments, whether here tonight, directly with the stenographer in the room to my right, or by mail receive equal consideration.

Anyone who wishes to send those written comments or materials should forward those documents to the Army Corps of Engineers New England District Office in Concord. And that address is available at the registration desk.

Lastly, I would like to emphasize again that the Corps of Engineers has made no decision with regards to this permit. It is our responsibility to evaluate both the environmental and socioeconomic impacts prior to any decision. And in order to do that, we need your input.

Sir, if it's okay, I would like to dispense with the reading of the public notice at this moment and have it entered into the record.

COLONEL BRIAN OSTERNDORF: You may.

PUBLIC HEARING

CAPE WIND DATA TOWER PERMIT APPLICATION

The New England District, Corps of Engineers, will hold a public hearing in Barnstable on April 11, 2002 in response to an application from Cape Wind Associates, LLC for an Individual Corps Permit for a single data gathering tower and associated monitoring device on the ocean bottom. The application is for a Corps permit issued under the authority of Section 10 of the Rivers and Harbors Act (made applicable for structures on the outer continental shelf by Section 4(f) of the Outer Continental Shelf Lands Act) for the installation and operation of this scientific tower in federal waters off the coast of Massachusetts on Horseshoe Shoals in Nantucket Sound. This public hearing is for the purpose of having interested agencies, governmental entities, various groups or entities and individual members of the public provide comments on the permitting of this structure including whether we should permit it and under what circumstances. The data tower will provide needed scientific information related to the larger wind

farm project that is being separately evaluated under a Federal Environmental Impact Statement as well as a State of Massachusetts Environmental Impact Report.

The public hearing will be held on Thursday, April 11, 2002 starting at 5:30 p.m. (registration to begin at 4:30 p.m.) at the Horace Mann Charter School, 120 High School Road, Hyannis, Massachusetts. All interested federal, state and local agencies, affected Indian tribes, interested private and public organizations, and individuals are invited to attend this public hearing. In an attempt to accommodate the ferry schedule, every effort will be made to allow Island residents to speak early in the evening. Early registration is recommended.

If there are any additional questions, please contact Mr. Brian Valiton of my staff at (978) 318-8166 or at our toll free # 1-800-362-4367 if calling from within Massachusetts.

Karen Kirk Adams

Chief, Permits & Enforcement Branch
Regulatory Division

MODERATOR ROSENBERG: Thank you.

A transcript of this hearing is being made to assure a detailed review of all the comments. A copy of that transcript will be available at the Concord, Massachusetts headquarters for your review, or on our webpage for your use, or you may make arrangements with the stenographer at your own expense.

When making a statement, please come forward to the microphone. State your name and the interest you represent; and as there are many of you that wish to speak, you will be provided three minutes, no more.

As a reminder, a stenographer is also available right over here to my right should you wish to dictate a statement for the record, rather than make that formal presentation. There are no time limits on those individual statements.

The traffic light. The traffic signal there will indicate the following: The green light will come on indicating that you have two minutes remaining; the amber light will indicate one minute left; and the red light will indicate that your time has expired.

Please identify if you are speaking or representing a position of an organization. If you're speaking for yourself, please say so.

I want to emphasize again that all who wish to speak will have an opportunity to do so tonight.

We will now hear those comments according to the hearing protocols. If you have lengthy written statements, please summarize to fit the three-minute limitation, and make that entire statement available to us here. We will be happy to receive it.

Before we begin, I would like to thank Susan Rohrbach from Senator Robert O'Leary's office for joining us tonight to listen in and two old friends, Catherine and Fred Ravens, both of which are former Corps employees now retired and living down here on the Cape.

Thank you all for coming.

Our first speaker, Representative Demetrius Atsalis. And I will -- sir, I will never get that name right.

(Laughter.)

MODERATOR ROSENBERG: I would appreciate

a tattoo right here.

REPRESENTATIVE DEMETRIUS ATSALIS:

Obviously, you're not from my district.

(Laughter.)

REPRESENTATIVE DEMETRIUS ATSALIS: By

the look of it not many people are here from the district either.

First, Colonel, thank you for being down here today. I want to reiterate the stance of the people from Barnstable, and I have to say the vast majority of the e-mails that I get are against this proposal in its location. They are not, I am not, and we are not against renewable energies. We are against, again, the location of this project. We believe there are alternative sites that can be used.

That being said, I had a written statement, because I didn't think I would be here, but I am obviously, so I'll read the statement to you, and I'll leave it.

"Dear Colonel:

I respectfully ask the Army Corps of Engineers delay any permitting for the Cape Wind Farm Project until all of the larger public policy

questions about the private use of public resources are resolved.

As a State Representative for many of the communities that will be most affected by the wind plant, I have heard the grave concerns shared by thousands of local residents, towns, as well as community and professional organizations.

In an April 1st letter to your office, the United States Fish and Wildlife Service wrote, 'Currently, we are unsure if any federal agency has the authority to lease or convey the use of these lands, the development of an energy facility.'

As a result, the federal government is considering legislation that would establish a process to decide how private developers could use public waters for private, financial gain.

My hope is that, and the hope of many, that the final legislation will include a provision mandating the comprehensive survey of all public lands and waters to determine what sites, if any, would be environmentally suitable for a project like this one before you.

It is my belief that in the end such a survey will reveal Nantucket Sound to be too

important an environmental, economic and community resource to industrialize as the Cape Wind developers propose.

Until such legislation is passed and until these important public policy questions are answered, it would strike me as premature to permit private takeover of Nantucket Sound. This holds for both the large windmill plant as well as the proposed test tower.

The communities of Cape Cod, Martha's Vineyard and Nantucket, indeed all communities in our country that are blessed with precious public natural resources would be ill served if the Army Corps were to move forward before we as a nation decide what public waters and lands are up for grabs."

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Gary Blazis, President, Town Council.

GARY BLAZIS: Good evening. My name is Gary Blazis, and I am the President of the Barnstable Town Council.

Quite frankly, I question why this

project is still alive. To set matters straight, the Town Council has already voted against this proposal. That, of course, is not a reflection of the Corps of Army Engineers. Simply, it is doing its job. Rather it's a commentary on the developers who refuse to listen to the Cape and Islands' residents, the many local villages, including my own, the fishermen's organizations, the Chamber of Commerce, the civic groups, the thousands of voices that have sent an unmistakable message: "Do not industrialize Nantucket Sound."

Make no mistake, this is not about renewable energy. This is about saving a cherished public resource from ruin and privatization. In my view, environmental destruction is the name of environmental protection is the height of hypocrisy.

The test tower is the camel's nose under the tent, a scheme by the developers to get the larger project approved. After all, they say they want the tower for a reason that all of us should treasure, the collection of data, of science. And who wouldn't want that? But they are not interested in it from information, just as they are not interested in what the affected communities have to

say. They are interested in getting one structure built in Nantucket Sound setting a precedent and opening the door for 170 40-foot wind turbines.

I'm sure you will hear comments from many people. The Interior Department has recently said that the developers must consider alternative sites for New England for the larger projects.

I ask, why should the test tower in Nantucket Sound be permitted before other sites are considered? Other sites that, in our view, would be infinitely more suitable for a project like this.

Along similar lines, the test tower should be considered part of a much larger proposal.

Why would anyone permit a test tower in Nantucket Sound for a project that upon close examination might be found to be inappropriate for Nantucket Sound? It makes no sense.

Much of the data that the developers claim the tower would collect can be gathered from other sources that don't ruin the environment. Atmospheric pressure, water temperature, tide height, current speed, you don't need a tower drilled into the ocean floor to get that information. Therefore, an alternate analysis

should be done on the test tower considering noninvasive data-gathering measures, such as barged-based instruments, and also considering what information already exists.

Given the recent comments from the Interior Department, it's very clear that developers don't have the right to claim public waters despite their protestations. As a result, they don't have the standing right now to take over public resources, and the Army Corps should delay any permitting of the tower and the larger project until they do.

MODERATOR ROSENBERG: Thank you, sir.

GARY BLAZIS: Thank you very much. I will -- there was a few other things. I'll just pass this in to you.

MODERATOR ROSENBERG: Thank you very much.

Thank you, sir.

The next speaker, Robert Jones, Barnstable Town Council.

ROBERT JONES: Good afternoon. I'm Robert Jones. I am the Town Counsel for the Town of Barnstable, and I want to thank you very kindly for

coming down and allow us to testify at this particular hearing.

The Barnstable Town Council had wrestled with this proposal for several months, and we heard, just as you are here, we heard testimony from both sides of the equation coming in and speaking for renewable energy, and also people who have had tremendous problems with the location.

And after hearings -- and several hearings that we concluded the Town of Barnstable voted, or the Town Council voted in opposition to the wind farm, and basically in the location that it was at. There is nobody in the Town of Barnstable that I know of that is against renewable energy, but the spot that has been picked is a spot that is -- dearly impacts the fisheries, the tourist industry, the citizens of the Town of Barnstable, the recreational fishermen, and the list goes on and on. Hearing after hearing has been done by you folks on this, and I am certain that you have gathered all of the comments both pro and con on this particular issue.

I would hope that you would delay any type of passage of this particular test tower for

the simple reason that all of the testimony that you've received to date should be reviewed and answered before you go in putting test towers into an area that may not be, after analyzing what you have, the proper place. It's a waste of their money, which is their problem, but the fact of the matter is that it impacts the area that it's in.

We know there is impacts. That has been stated over and over again. There is impacts to the -- the bird community, the fish community. We know there is visual impacts. I mean, there is questions about the sound and how it transmits over the water. We have talked about the lighting, and we talked about hundreds of issues, and I'm sure in your office they are probably stacked a mile high. Good luck.

But the fact of the matter is I would hope that you would delay all action on this until you have read those, reviewed those and come to a conclusion that, yes, we need further data to make up our mind whether to do this or not. I think that's only fair. We feel it's the wrong place. Seventy percent of the earth's surface is covered with water. It just is inconceivable this is the

only place this can go. If it moves, we are behind the folks on the wind farm 100 percent. We have told them that. We have asked them. And there is a number of reasons why they are in this particular place, one of them being federal waters.

The Commonwealth of Massachusetts passed what was known as the Ocean Sanctuary Act. I am sure that you know that in 1971, and its purpose and intent specifically stated all the waters in Nantucket Sound.

And I'm out of time, and I'll respect that three-minute warning, but -- time limit, but all I can do is request that you review what you have before making a decision to take a second step.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Albert Benson, from the United States Department of Energy.

ALBERT BENSON: Good evening, Colonel.

One thing I would like you to please consider is there is not only a value to the information to the proposed developer of the offshore wind farm in Nantucket Sound, but there will also be uses for that information, and the

proposed developer has committed that they would share that information with the Coast Guard, the FAA, other state and federal organizations that could use that.

One thing that comes to my mind is that in the event of a maritime problem, it would be very useful to know the current direction, the speed of the currents, also the wind directions so that in the event that the Coast Guard had to go into a lifesaving mode that that data would be available. It's not, Colonel.

And I think there is a number of things that do justify this; and if it's easy to put in, it's also very easy to remove at the end of some trial period. And if the Corps decides that the permit should be revoked later then it would be easy to remove.

I also think that this project is important as a region. It is an energy significant project that will be very meaningful during times of peak period demand electricity in the region. We are getting more and more dependent on natural gas through the use of combined cycle units, which are very clean, but also the New England ISO has

recently come out with a statement that indicates that we have deliverability problems as near term as the year 2003, and the megawatts that they predict shortfall on the order of 1,750. The study also indicates that it will go up to about 3,500 megawatts of deliverability shortfall on natural gas by the year 2005. A 420-megawatt project in that time frame could be very useful to keep reliability with this area.

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

Colonel Osterndorf, we have -- I would like to ask if we could deviate from our protocol. We have three individuals, who identify themselves as living on islands; and in order to accommodate the ferry schedule, if I may call them up now.

COLONEL BRIAN OSTERNDORF: Yes.

MODERATOR ROSENBERG: Thank you.

Our next speaker, Charles Blair.

Following Mr. Blair will be Liza Cox.

CHARLES BLAIR: Hi. Good evening. My name is Charlie Blair. I'm the Edgartown Harbor Master. I'm here to represent the Town of Edgartown, also the Edgartown Charter Fishing

Association and the Shellfish Organization in Edgartown.

We have been following the wind farm right from the start. We have had meetings over on our island, and I guess the Army Corps is going back to the island next month.

My selectmen asked me to come tonight to show by coming to this meeting how important the decision whether to permit this -- the data tower is to them. I'm going to -- I am a NIMBY. I am going to take their point of view that they gave to me. If you allow this data tower and the wind farm, people that come to Martha's Vineyard for summer vacation, and tourists that come for just a short stay want to see the rural, beautiful, pristine beaches, the farms. They do not want to look out in the Sound and see a metallic field of 465-foot towers.

The loss in tourism could be staggering. For what you're going to gain in the energy, you could lose in the economy of the island.

Now, I'm going to put on my other hat and talk about charter fishing. I was a charter fisherman out of Edgartown for 25 years. Horseshoe

Shoal is one of the sanctuaries of the charter fishermen from the Cape and both islands. When the wind blows, we go to Horseshoe, because it's calmer.

Wait a minute. And I started thinking about this. I have also raced in the Edgartown Yacht Club Regatta and ocean yachts, and we started about 20 years ago to stake our touring lines out in Vineyard Sound on the Edgar Horseshoe Shoals. Every year we have to wait for the wind to fill in. It doesn't fill in until two o'clock.

I think you can get your data by talking to ferry captains that fly this route from Hyannis to Nantucket every day, Woods Hole to Vineyard Haven every day, Woods Hole to Oak Bluffs every day, Cape Air. There is lots of data gathered. I asked the Steamship Authority captains, because I know them. No one has been asked for any data. Building this tower, I think the data is there.

And lastly, there is new-found shellfish beds on Horseshoe Shoal, and it's ocean quahogs. We have several fishermen that are from Edgartown that are building boats to take advantage of this new bed of quahogs. And it seems to me if you build all these towers after 9/11, you could very well have an

exclusion zone around this whole area where boats would not even be allowed to come in.

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Liza Cox, who will be followed by Arthur Bergles.

LIZA COX: I'm sorry. I'm Liza Cox.

And I think that box might have been checked in error. I'm willing to delay my turn. I actually live on the Cape.

MODERATOR ROSENBERG: Okay. Thank you.

Thank you very much.

Arthur Bergles, the next speaker.

ARTHUR BERGLES: I guess I shouldn't really be here, because I'm on the mainland, as it were, but I'll say it anyway.

I have a specific questions speaking for myself -- it might seem that I have a point, but I am speaking for myself, and I wonder about the 263-foot tower when the outer edge of the turbine blades are 400 feet. I'm not sure that, as proposed, the data will be sufficient.

And secondly, I wonder what happens to the data collection tower if the wind farm goes

forward, or if it does not go forward.

Do we have a stranded data collection tower sitting out there?

Besides that, I would like to venture a couple of comments about the economics of this. The old website of wind -- Cape Wind has suggested that you could bid zero in a power pool auction. Well, okay, except that you have to include the capital costs. And turning to my friends in Denmark, where they have lots of wind power, they suggest that offshore would consume or come out to be about seven cents per kilowatt-hour. You couldn't sell it any cheaper than that or auction it any cheaper than that.

Now, noting that we're talking already about deregulated default power in the order of five or six cents per kilowatt-hour, there is some question as to whether the whole project will be economically viable. And this is a virtual certainty if construction costs escalate, as they have done in the Big Dig.

My point is that free energy is not cheap, and this is unlikely to be an economically viable project.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Returning to the protocol, our next speaker is Gerry White. He will be followed by William Eddy.

GERRY WHITE: I'm Gerry White, and I don't represent anyone except myself.

And it seems to me a tower would not be necessary if we're not going to go ahead with the wind farm. And I would like to make three points.

The first one being that MIT's technical review quoted the utility research organization in Washington, D.C. with the following piece of information: That in 1970, 20 percent of all electricity generated was generated by oil. Today the amount of electricity generated by oil is less than 1 percent.

My second point is that why not -- why not promote pebble bed modular reactors instead of wind farms. These reactors are much safer and far less expensive than atomic power plants. They are far less dangerous. As you know, the big trouble with an atomic power plant is if there is an accident with the coolant, if the cooling stops you

have a major problem.

The pebble -- pebble bed modular reactor does not need water, because it operates on a much lower temperature, so it doesn't need cooling.

Then the third and my last statement, and I think is the most important, has to do with the fact that if someone of -- if the majority of people wanted to build a sewer plant in the house, next door to your house, you would be protected by zoning laws. We don't have them for the Bay. And if -- if -- I personally think it's wrong that the majority of people in Massachusetts, if it's true that they feel this way, would advocate that we insist on putting wind towers up at the expense of the fishermen and at the expense of the sailors and also at the expense of the gorgeous ocean view that the people in the south shore and the Cape have. I'm neither a sailor, I'm not a fisherman, and I don't live on the South Shore.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, William Eddy, followed by John O'Brien.

REVEREND WILLIAM EDDY: Colonel, ladies and gentlemen, fellow citizens, I'm the Reverend

William Eddy. I am an Episcopal priest here on the Cape. I have served six of the 17 Episcopal churches on the Cape, and I have served 13 of the 190 parishes of the Diocese of Massachusetts.

Additionally, I am the President of the Cape and Islands Self-Reliance Corporation, which has been promoting renewable sources of energy for more than two decades.

And I am in strong support of the efforts of Cape Wind Associates to install a wind monitoring tower on Horseshoe Shoals. I am very familiar with wind energy, as I had a wind generator for 15 years, and I have sailed the waters of Horseshoe Shoals all my life in my 100-year-old catboat. And I think that there are some bites around here that provide greater navigational difficulties.

The wind farm, the first offshore wind farm in the nation, will be the first of many that the people of this nation will be building along our coastlines. How we develop this farm is as important as why we must develop it.

Over the years, and more recently, I have spoken with hundreds of citizens of the Cape

and Martha's Vineyard. Most everyone wants a source of renewable energy. The proposed wind farm initially elicits a cautious but interested response from the groups before whom I speak, and strong support for the project develops when we promote the idea of a partnership with the developers of the project. Some of us even envision a partnership which has an entity like the Cape Light Compact, being perhaps possibly a part owner and perhaps a major, if not exclusive, purchaser of the power.

We would like the energy to supply our homes and our business and our public institutions. We would like to know that we are not only a critical component and beneficiary of the project, but also a director of its operation, with a role at the beginning and, when necessary, at the end.

If the wind farm is to be located in the shelter of our waters, then we, the citizens, should be among its proponents, its protectors and its trustees.

We seek a wind farm, because we know that it is irresponsible and dangerous to depend on fossil fuels and on supplies outside of our nation. Fossil fuels are dangerous to our health and to our

national security.

Conversely, we seek a wind farm on Horseshoe Shoal precisely, because we do not want to drill in the Arctic National Wildlife Refuge and other public lands that at one and the same time are environmentally sensitive and can only produce environmentally dangerous products. As a citizen and a region and of a nation, we seek to promote a safe, clean, renewable source of energy.

Finally, there is nothing so powerful and good as the citizens of a democracy exercising their right to create and to control the future worthy of their values and to create a solution to an energy crisis that daily risks the lives of our citizens here and overseas. As I see it, our dependency on fossil fuels has been our Titanic. And dependency on the wind will be our tall ships.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker is John O'Brien.

(Applause.)

MODERATOR ROSENBERG: Please no interruptions.

The next speaker, John O'Brien, followed by Granger Dyett.

JOHN O'BRIEN: Members of the Corps, my name is John O'Brien. I am a member of an organization called the Alliance to Protect Nantucket Sound.

The Alliance is a consortium of interested stakeholders, including environmental groups, business interests, property owners, commercial and recreational fishermen, aviation interests, boating interests and others concerned with respecting the resources of Nantucket Sound.

We have submitted extensive comment from the result of the scoping sessions held in Boston and Yarmouth, and I won't go into that now, but we essentially oppose this project in its entirety, and we oppose the placement of this single tower for a variety of reasons. We think essentially that it's the cart before the horse. There are really fundamental questions regarding this project that must be answered before we get to this stage, and the questions go to the heart of the matter.

We are absolutely astounded that anyone can just make a claim on the section of the continental shelf without mitigation, without the taxpayers receiving any benefit, without a bidding

process, without some process and methodology that would result from other competitors taking a look at the same place. We're astounded that there has been no analysis of other areas where such a proposal could be placed.

And so we have raised these fundamental questions in our answer, and we believe that that process has to take place before anything like this takes place.

We already have in our minds extensive information about what happens on the Sound. As a matter of fact, I took the trouble to look at what was happening on the Sound on the hottest day of last year, and I did that because, I -- knowing a little bit about the industry, we need power on the hottest day and the coldest day. The hottest day last year was August 9th.

The weather bureau since the turn of the century has kept very detailed records of wind speeds on the Sound, hourly wind speeds and wind direction. When you look up the wind speed on August 9th -- and by the way, the demand on the New England Electric grid on that day was 25,038 megawatts, which was probably the highest demand day

of the year when we really needed power, as you know.

On that day, the wind speed on Nantucket Sound was a little over nine knots, the average wind speed. And so if you give the benefit of the doubt to the developers -- by the way, they will admit that the average output on this project is 170 megawatts. It's not 420. And so when you do the math on that, and you give them the benefit of the doubt, and I don't know what the wind speed is that turns these things, but say it's 100 megawatts or something in that range, given the math on that, the contribution on that date to the New England grid demand would have been .00339 percent. So what we are asking is the cost-benefit analysis on this is important, and we're opposed to it.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Next speaker, Granger Dyett, followed by Clifford Dow.

GRANGER DYETT: Yes. My name is Granger Dyett, and I don't represent anyone but myself.

I think it makes sense to have a tower that will give accurate information to the site

before any decision is made, and I don't think the company would decide to go ahead and build a wind farm if they couldn't make money from it so if the wind speed turns out to be too low, how will that count?

I don't have too much to say, except that one of the other fellows who spoke earlier mentioned that he thought the tower might be a bit low to represent what something that is over -- what is it, 260 feet tall at the hub, the final wind tower designs? And this is only a 200-foot tower that is doing wind measuring. It seems a bit odd. That's all I have to say.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Clifford Dow, who will be followed by Bob Mahoney.

CLIFFORD DOW: I'm going to read a statement, a letter from William D. Craig who was on his way to Europe, and he couldn't be here tonight:

In early March of 2002, I toured the wind farm in Palm Springs, California. These notes are derived from that visit.

The farm consists of four generations of machines and 80 farms all privately owned. The location just

east of San Geronio Pass, which separates Coachella Valley -- you can tell I'm not an Indian -- and the Imperial Valley and the Los Angeles area.

The machines operate about 2,600 hours per year. With 8,760 hours in a year, the maximum theoretical capacity factor would be just under 30 percent.

Wind power varies as a cube of wind velocity. The turbines must have a max -- a minimum wind speed of 14 miles per hour for economic break even.

There are four generations of wind turbines here. The first turbine -- or the first units are about 20 kilowatts each, and are called "downwind and dumb," that is they swing around their towers to catch the wind at right angles. That puts the blades in shadow of the other once every revolution.

Succeeding generations are now using an "upwind and smart." The largest units are rated 1,000 kilowatts or megawatt machines, smaller than those proposed for Horseshoe Shoals. These largest units are Nordek, manufactured in Germany, and their blades are 177 feet long, as against the proposed

328 feet long.

I took the time, and we toured in a bus. The guide made mention of the fact that during operation, no one other than the wind plant operators -- now get that, please -- are allowed within inside the area where those windbines are working. As we toured -- and this was particularly true would be as bad on Horseshoe Shoals because of the fishing and pleasure boats -- working against time.

As we toured the farm area, there was noticeable noise from the turbines, but it was not oppressive, but you could hear it. And this is not the largest wind farm in California. The two larger ones in Altamont Pass and just east of San Francisco in the Tehachapi Mountains of S. California.

I think that is all. I would just like to say, I, as a one of the Directors of the Osterville Village Association, we have voted to be completely opposed to any wind farm.

Thank you.

MODERATOR ROSENBERG: Thank you,
Mr. Dow.

Mr. Dow, if you like, you can enter that

whole statement into the record, or take advantage of the stenographer, which is located to my right. If you wish to dictate a statement for the record rather than making this formal presentation. Once again, there is no time limits on the individual statement.

Our next speaker, Bob Mahoney, will be followed by Paul McDougall.

BOB MAHONEY: Thank you, Mr. Chairman.

I just would like to state at the outset that I would like to disassociate myself from the statement, which was made by the clergyman. I am chairman of the Cape Light Compact. And as is usual the devil is in the details, even if it's said by a religious person.

(Laughter.)

BOB MAHONEY: And I have never heard of any partnership between Cape Wind Associates and the Cape Light Compact, and we don't have any shares or anything like that. I just want to make sure that that is very clear.

The Compact has previously provided comments to the Cape Cod Commission and MEPA and the Army Corps of Engineers. In particular, it's

pointing out the overarching issue of a gap in the process for examining the proposed wind project. The Compact believes that we need to be very careful about how sites are reviewed and acquired and the terms, conditions and standards that are used. Moreover, because the particular grant for this site may allow occupation by Cape Wind in perpetuity, we need to take great care that we have a complete and viable process to permit site occupation.

We note that the U.S. Department of Interior in a letter dated April 1, 2002, has also expressed its concerns about the same matter and that federal legislation is under consideration to address this issue. We fully support the actions of the Department of Interior in this matter.

A spokesperson for the Army Corps of Engineers was quoted in the press, Cape Cod Times, April 5th, that even without new laws, the Corps could adequately review the project. If this is the position of the Army Corps, we believe it is flawed and unreasonable.

As we've stated, the gap in the current process affects both the ability to develop standards and conduct an adequate review.

Typically, when a public resource site is identified for development and leasing, there is a two-step process.

First, an identification and certification of feasible sites; and second, a competitive process that assures a developer is offering maximum benefits and least impacts for a site.

In view of the fact that such a significant gap in the process exists, and that an adequate review is not possible, and that a federal solution to this problem may be developed, we urge the Army Corps of Engineers to defer consideration of the scientific monitoring station at this time.

We believe that the Corps has a vital role to play and a major challenge to help create a viable evaluation process for ocean-based energy development.

As requested by the DOI, we believe that the Corps should step back and conduct a zoning and siting evaluation of the OCS lands off of the New England coast for wind and wave energy development as the first step in creating a more efficient and comprehensive process.

Thank you for the opportunity to present.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Paul McDougall, followed by Ted Chisholm.

PAUL McDOUGALL: Hello. My name is Paul McDougall, Past Commodore of Massachusetts Boating and Yacht Club Association.

We strongly oppose this set of towers. This project is potentially dangerous and destructive for Cape Cod industries. Such as your strongest industry is tourism. Among the fishing, boating, shellfishing and marine, hotel, any environment and also the beauty of Cape Cod.

The Corps has a critical decision to make at this regards. Our suggestion is that the Corps does not grant these permits -- for the permits for the data towers.

And thank you very much for giving me the opportunity to speak.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Ted Chisholm, followed by Richard Peckham.

TED CHISHOLM: Good evening. Thank you.

My name is Ted Chisholm. I am a Boston boater.

The documentation which I would like to present to you after I have said my peace is put out by the Army Corps of Engineers itself. I have gone up on both websites of those in favor and opposed to wind turbine development at Horseshoe Shoals. I have also gone to Wollaston Beach in Boston, and I have looked over the horizon, and I have seen a 250-foot wind turbine placed this December at Hull Gut. I looked at the region's new chart book. It is approximately four and a half miles from where I was standing last Sunday. It has 90-foot blades, a 250-foot tower. It is plainly visible. Clearly visible.

I thought it was very interesting that as I drove down here today, I looked from the Sagamore Bridge area to the Bourne Bridge. The Army Corps of Engineers publishes something that I stopped and I got. Approximately where I was standing, it is four miles from where I was near the Sagamore Bridge to the Bourne Bridge. The Bourne Bridge is clearly visible. It's big.

The proposed wind farm at the figures that I have, 426 feet in height, that is 151 feet

higher with a turning diameter with blades 328 feet. I thought it was very interesting today when I came in that Cape Winds had something up there on the screen that said visit Cape Winds. I did. I have visited Cape Wind's site. I have looked at their website, which I also want to submit to you. I would also like to submit a photograph of what is claimed to be an illustration as to how you -- I am a Boston boater. I am not going to be looking at these things everyday. I have been to Nantucket. I have been on top of Horseshoe Shoals, to the tune of one prop.

(Laughter.)

TED CHISHOLM: I am looking now at pictures from Cape Winds. They are talking about 5.6 miles away, and it is not visible. They appear to be tying little spots. Based on what I have seen at Wollaston Beach, and I am asking the Army Corps of Engineers to go to Wollaston Beach to look at a 250-foot tower, and look at it, it's there. It is as plain as the nose on your face.

The only reasonable conclusion I can draw as a reasonable person is these photographs are a fabrication. I don't honestly know how anyone can

say that they were developed, or designed by any photographing group that has 20 years experience.

MODERATOR ROSENBERG: Thank you, sir.

TED CHISHOLM: Thank you. I would just like to submit our own documentation and theirs.

MODERATOR ROSENBERG: Absolutely. Thank you very much.

Our next speaker, Richard Peckham. He will be followed by Jaci Barton.

RICHARD PECKHAM: Good afternoon.

I'm opposed to this project, the result of which would be the rate of pristine natural resource hazards to navigation. I have experienced hours on Nantucket Sound where the fog comes rolling in, and there are people out there that do not know where they are. They're lost. They are disorientated, and this is a tremendous hazard out in the middle of Nantucket Sound.

I'm not opposed to wind energy, but I don't understand why other locations have not been studied, such as the median strip of the Mid-Cape Highway. This would be cheaper to install, cheaper to maintain, cheaper to transfer the energy, and cheaper to remove if it was a route. I hope if this

project is approved that the funds would be set aside for the removal of these structures.

The last time we had an energy crisis in this country, and we had federal incentives to provide wind and solar energy, there were many projects underway. Then the government pulled the rug out from underneath these people, and these people simply walked away from these projects and left them where they stood. I just hope that doesn't happen in this particular case.

And we know the tides, and the winds and the wave actions on Nantucket Sound. This information is public knowledge. It's published. We don't need a tower to give us this information.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker is Jaci Barton. I know I'm mispronouncing your first name.

JACI BARTON: It's okay.

MODERATOR ROSENBERG: Followed by Brian Smith.

JACI BARTON: Actually, you did pretty well. It's Jaci Barton. I live in the village of Cotuit, and I am a sailor. And I'm also a member of

the Alliance to Protect Nantucket Sound.

The Cape Wind Project is less than 15 miles from Monomoy National Wildlife Refuge, And it's even closer to nesting areas for threatened and endangered species. Both the construction of the unprecedented 170 turbine wind project and the construction of the data tower may, in fact, violate the Migratory Bird Conservation Act and the Endangered Species Act.

The Cape Wind Project is sited on Horseshoe Shoal, which according to the Massachusetts Audubon Society boasts one of the highest concentrations of sea ducks and terns on the Atlantic Seaboard. And it provides ample feeding opportunities since it is along a major flyway.

Tall lighted structures, such as the proposed data collection towers, have been documented to present collision hazards to birds. Every year millions of birds in the US are killed by simply colliding with communication towers. And for the Roseate Tern, which is a federally listed endangered species whose population is struggling to survive, the death of one tern may significantly threaten the existence of the species. Multiply

this threat by the 510 turbine blades, and the hazard to these endangered species could be devastating.

For the record, the main avian species of concern here on Horseshoe Shoal are: Roseate Terns which are state and federally endangered species; the Piping Plovers which are state and federal listed threatened species, and the common tern, which is a state listed species of special concern. In addition, there are migrating shorebirds and songbirds and winter and sea ducks and seabirds and loons and grebes and long-tailed ducks. In fact, Nantucket Sound holds one of the largest populations of migrating water fowl anywhere on the Atlantic Seaboard. Rough estimates are that anywhere from a quarter to one-half a million birds use this area for half the year, every year. And all of these birds migrate here and are subject of the federal law, again known as Migratory Bird Conservation Act.

Just as a comprehensive study is required for the Environmental Impact Study to assess the impact of the entire 170 towers, so too should be one needed for the single tower.

The construction activities are no different than construction activities on land, and our community has taken incredible efforts over the years to accommodate those activities as we have canceled fireworks. We have stopped the birds from -- vehicles from using Sandy Neck.

I am going to ask you to please make sure that if you, as the Army Corps of Engineers, decide to allow this test tower to go in, that at the very least you make sure that there is a bond posted to remove the structure at the end of the trial period. It would be a crime to see the data collection tower built on public land for private gain and then spend public tax dollars to remove it when the project falters.

Thank you.

MODERATOR ROSENBERG: Thank you, ma'am.

The Next speaker, Brian Braginton-Smith, followed by Lindsey Counsell.

BRIAN BRAGINTON-SMITH: Good evening. Thank you for having the opportunity to come here and discuss this monitoring tower.

My name is Brian Braginton-Smith, and this evening I would like to represent myself in

this -- in this action, and I'm a member of the marine science and environmental community here on Cape Cod. I was an attendee at the National Ocean Conference back in 1998 in celebration of the International Year of the Oceans.

I can tell you that as an active participant in the National Ocean Policy Debate understanding our ocean environment and having monitoring equipment to be able to accumulate important data is a critical objective of our nation.

And this is a compelling need that I believe is -- is an essential responsibility of the Army Corps in this process. And gathering data on our oceans is a national priority, as I have stated. This platform will provide the facility for monitoring the wind, ocean and atmospheric data, important for a better understanding of our ocean environment and our atmosphere. These facilities will provide a wealth of information that will provide a better understanding of Nantucket Sound and our offshore frontier in the oceans.

As we speak, our nation is engaged in an initiative to undertake the study

of -- comprehensive study of our coastal oceans.
And this monitoring platform is an important
initiative that should be supported for our nation,
for our oceans and for the future.

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Lindsey Counsell,
followed by Neal Costello.

LINDSEY COUNSELL: Thank you very much.

My name is Lindsey Counsell. I am the
Program Manager for Three Bays Preservation of
Osterville.

We are a 560 member environmental
organization that has focused on many environmental
efforts in and around the three bay area for the
Town of Barnstable.

Recently, our organization completed a
survey of its membership with approximately
20 percent of our members responding. Almost
90 percent of our membership is opposed to this
project. With that in mind, our Board of Directors
voted to strongly oppose this project for a variety
of reasons, some of which I will touch upon now.

Our work at Three Bays in relation to

this project is focused primarily on bird habitat restoration on Sampson Island and Dead Neck in the southern portion of the three-bay area.

Particularly, the tern population is what has us concerned with this project. Half of all the United States tern population uses Nantucket Sound in some form or another in the habitat areas surrounding it. As the previous speaker listed other birds, such as the Piping Plover that also use these areas.

The problem that I have with this particular project and this tower in particular is that there is no scientific evidence available on bird activity out in the Sound. We have contacted several experts in this field and have found that these experts have no documentation and no studies whatsoever of what the movement pattern of these birds are as they feed and nest and roost in the evening in this area. So we feel that this has to be studied before a single tower should be permitted.

The Corps should also be looking at the height of this 120-foot tower and see what that might do to the flying impacts to these birds.

The Corps should delay permitting the

tower until the Environmental Impact Statement on the larger project is done as well. This project is in the process of being scoped, and there are many issues in that to be reviewed and resolved, and out of this may be coming alternative sites that may be needed to be looked at in terms of scoping for a project in another location. So we strongly feel that it's premature to site this tower in this location at this time. It makes no sense to permit one data gathering tower when these other ones may be needed to evaluate other sites.

We also feel strongly that the siting of a test tower will be influenced by the results of this scoping, and further information requested in the scoping for the larger project may actually influence the exact site of this. If it's found that birds are using a certain part of the Sound at a certain time of year, the actual location for this may want to be looked at so that bird analysis can be done.

So with that information in mind, I want to thank you very much for hosting this hearing. I have been to all of your hearings, and I think you do a fine job of conducting them and giving the

public a fair chance to vent its opinions.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker is Neal Costello,
followed by Fred Fenlon.

NEAL COSTELLO: Good evening. For the record, my name is Neal Costello, and I'm General Counsel of the Competitive Power Coalition of New England.

CPC is a trade organization, which is comprised of all the electric generators throughout New England. We represent approximately 90 percent of the installed capacity currently operating in New England. More to the point, we represent all of the new generation that is coming on-line as a result of deregulation, and is the sole reason by the last two summers when we hit those peak demands the lights in New England stayed on, and we did not have the problems that California and other regions had.

I would like to go on record as strongly and enthusiastically supporting Cape Wind's proposal for a data tower permit.

CPC was a leader in restructuring in Massachusetts and throughout New England. And the

key environmental component of the restructuring law was renewable portfolio standards. And the design of the RPS program, as stated by the legislative drafters of the bill, was to encourage the development of renewable resources within the Commonwealth so that the citizens of Massachusetts could reap the economic and the environmental benefits of renewable projects here. And as the drafters of the bill have said, Cape Wind is the poster child of what the RPS project was supposed to encourage, renewable resources here that would provide cost benefits to the ratepayers of the Commonwealth and reliability benefits.

CPC's members have fuel diversity within their mix. We represent gas, oil, coal, hydro, waste energy, nuclear and renewable energy. And that is critical to reliability in NEPOOL in the New England region that have you complete fuel diversity. And the linchpin now that we are heading into in this new era is the developing of renewable energy projects like Cape Wind. It is absolutely critical to reliability and to maintaining cost in this region. So much to the fact that the four drafters of the Energy Committee and the government

Regulations Committee have enthusiastically endorsed the Cape Wind Project repeatedly and will so in this project as well.

EMI, also the developer of Cape Wind, has a proven track record of being responsive to the community and environmentally friendly. They have developed projects throughout New England, and we take great pride in noting that the data that they develop from this project they have offered to make available to government agencies, educational agencies, so not only will Cape Wind benefit, but the entire region will benefit.

As generators in the new region -- in the new competitive world, we are competitors with Cape Wind. All of these companies are private companies that use their own money. There is no cost to the ratepayer, no government cost. It's a private entrepreneur using their own money. We encourage that competition, because we all have a vested interest in the success of competition in the energy field and keep the critical component, now the new area where this region needs to develop is renewable resources like Cape Wind.

MODERATOR ROSENBERG: Thank you.

NEAL COSTELLO: Thank you.

MODERATOR ROSENBERG: The next speaker, Fred Fenlon, followed by Chris Sherman.

FRED FENLON: Mr. Moderator, my name is Fred Fenlon, and I live in Eastham, and I am here to represent the Eastham Nonresident Taxpayers Association. This is the oldest nonresident association on the Cape. We have 982 family members. In Eastham, nonresidents pay 70 percent of the tax burden.

This past February, we conducted a survey of the members in our quarterly newsletter. The simple question was: Do you agree that a wind farm should be constructed as described and outlined, yes or no? The yes votes were 61.7 percent, the nos 24 percent; and those not answering the question, because they had questions, 14.3 percent. They said, too many unanswered questions.

The quest for more information was not limited to nonresident laymen, but indeed experts in the field that were reaching out for more information as stated in the Cape Cod Times' article, "State Eyes Tower Plan."

Those raising questions: Coastal Zone Management; Massachusetts Technology Collaborative; National Marine Fisheries; US Fish and Wildlife; US Corps of Engineers.

Question: How can intelligent decisions be made without placing a single tower to gather necessary scientific, engineering and other technical information?

Mr. Chairman, that is not a rhetorical question. That's a real question. I hope somebody can answer it.

In June of 2001, crude oil prices rose to just above \$30 a barrel. By November, crude had plummeted to 17. Then the Mideast conflict arose. Nearly -- and spices jumped again last week to \$28 a barrel.

What is happening? The newspaper headlines tell the story:

Boston Globe: Arab leaders rebuff Powell.

Boston Globe, today: Sharon tells troops no letdown.

Cape Cod Times, today: Powell heads into a cauldron.

New York Times: Sharon rebuffs the military -- United States.

Washington Post: Powell vows he will meet Arafat.

LA Times: Israeli troops seize Palestinian Jenin Camp.

Question: Will the Arab-producing nations stand behind the US or the Palestinians?

That is a rhetorical question. Time is of the essence.

The final question, and this is not a rhetorical question, because there is questions about what regulatory agency, Corps or DOI. The question is: Is there any possibility that a recent move to DOI as a federal permitting authority in reality, a political movement to delay allowing placement of data gathering tower to collect needed scientific information? I hope that is not the case. If this is indeed the case, it's a sad day. We do hope someone can answer that question.

Let's place the single tower out in Horseshoe Shoal and let the truth ring out one way or the other.

MODERATOR ROSENBERG: Thank you, sir.

FRED FENLON: Let's the chips fall where they may.

Thank you.

MODERATOR ROSENBERG: Thank you very much.

Our next speaker, Chris Sherman, will be followed by Kathryn Kleekamp.

CHRIS SHERMAN: Good evening. My name is Chris Sherman. I speak this evening on behalf of Doctor Malcolm MacGregor, head of the Marine Safety and Environmental Protection Department at the Massachusetts Maritime Academy.

The Massachusetts Maritime Academy has offered courses in marine expertise for over 100 years. Approximately 800 men and women enrolled in the school have an aptitude for mathematics and science and show great leadership potential and share an interest in or experience on the ocean.

This is a letter dated April 9th, 2002, from Doctor MacGregor to Mr. James Gordon, President of Cape Wind.

Dear Mr. Gordon:

Please consider this letter as the position of the Maritime -- I'm sorry -- the Marine

Safety and Environmental Protection Department at the Massachusetts Maritime Academy regarding Cape Wind's proposal to install a weather-monitoring tower in Nantucket Sound. Please feel free to submit this position at the Army Corps of Engineers hearing on April 11, 2002.

The weather-monitoring tower is a necessary component of the discovery required to construct your proposed wind energy system. It will also provide the great benefit to the community for monitoring current weather conditions in the Sound and to the schools and colleges in the area. The benefit received by the schools and colleges from the available data is substantial and that the students can access local data, learn more about local weather patterns, familiarize themselves with data gathering, data reduction and data presentation, which is meaningful and timely. Information gathered from increased weather -- from increased weather monitoring allows us to better predict our weather, which has a substantial benefit in emergency management and crisis management situations.

The long-term results of the

weather-monitoring tower will determine the feasibility of a wind energy system to supply our power needs. Renewable energy systems like wind energy are a must for our future. The wind energy proposed by Cape Wind is timely and important and should be given every consideration.

The Marine Safety and Environmental Protection Department at Mass. Maritime is happy to contribute to the monitoring tower project in any way it can and will use any data provided in the classroom in a number of our programs. We consider this to be a valuable asset to the community and to our future.

Sincerely, Doctor Malcolm A. MacGregor.

MODERATOR ROSENBERG: Thank you, sir.

CHRIS SHERMAN: Thank you.

MODERATOR ROSENBERG: The next speaker, Kathryn Kleekamp, will be followed by Richard Peckham.

KATHRYN KLEEKAMP: Good evening. My name is Kathryn Kleekamp. I am the Cochair of Cape Clean Air. I live in Sandwich on the Cape.

Cape Clean Air is a group, an advocacy group of scientists, physicians, citizens, and our

mission is to educate the public on the environment, and the negative health impacts of air pollution.

On behalf of Cape Clean Air, we urge the Army Corps of Engineers to permit the installation of the data gathering tower in Nantucket Sound. The information it will gather on air pressure, wind velocity and direction, temperature, ocean currents and other variables is essential to have a rich data based accurate appraisal of the site that has been selected for the proposed wind farm.

If some are confident, as examples of comments that were made tonight, that at times the wind is diminished on Horseshoe Shoal, this data tower will confirm that. And I think perhaps key to my comments tonight are that any statements made without data are opinion. Statements made with data are fact, and we must make decisions based on fact.

Nantucket Sound is a body of federal waters that belongs to all citizens of the United States, not just those privileged few, who boat or own waterfront homes. The developers have modified the height of the data gathering tower making it 25 percent lower than originally planned. They are not mining or removing anything from the waters.

It's hard to imagine that this structure would degrade the ocean environment any more than a navigational aid attached -- an aid to navigation attached to the sea floor. We encourage you to approve this permit as soon as possible so the needed data gathering can begin.

Thank you very much.

MODERATOR ROSENBERG: Thank you, ma'am.

The next speaker, Richard Peckham.

AUDIENCE PARTICIPATE: He had to leave.

MODERATOR ROSENBERG: Thank you, sir.

In that case our next speaker, Ernest Huber, followed by Matthew Palmer.

ERNEST HUBER: Dear residents of the Cape and Army Corps of Engineers: My name is Ernest Huber, and I live at 15 Partridge Lane, Carlisle, Mass.

I am a retired physicist with a longtime interest in renewable and alternative energy. My views are representing both me and my wife, as well as my wife's Aunt Rebecca Gillespie, who is a resident of Falmouth. We are not involved in any way with the Cape Wind Project, but are concerned that Massachusetts and the Cape will miss out on a

unique opportunity to be a leader in offshore wind technology as a step forward in finding renewable energy alternatives to the use of fossil fuels.

The data collection tower that has been proposed is a reasonable first step in the Cape Wind Project, because it should answer many of the questions that have been raised, as well as help with the engineering design of the wind turbines. To those who might oppose it, because they are opposed to the Wind -- Cape Wind Project in its entirety, we would urge them to rethink their opposition and to have an open mind.

Renewable energy projects, such as Cape Wind, are desperately needed by this country for several reasons:

(1) It is important that we undertake projects like this for increased national energy security and a lessened dependence on foreign oil;

(2) We should undertake projects like this to alleviate global warming through decreased production of carbon dioxide emissions;

(3) We should undertake projects like this for this moral reasons. Our legacy to our children and our grandchildren cannot be one of

plundering the earth's fossil fuel resources for our own consumption in an era of cheap oil that is rapidly coming to an end.

The world's oil exploration geologists are currently divided between those who argue that world oil production will peak somewhere around 2010, and those who argue that it will peak somewhere around 2020 to 2030. That is hardly much of a difference in the grand scheme of things.

So that when Pilgrim Nuclear Plant on the Cape gets decommissioned, as it must some day, are you going to want a coal-fired power plant in its place?

An offshore wind farm could be a thing of great beauty and pride for Massachusetts.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Matthew Palmer, followed by Charles Kleekamp.

AUDIENCE PARTICIPATE: Matthew had to leave.

MODERATOR ROSENBERG: Thank you.

Charles Kleekamp. Sir, you will be followed by Derek Haskew.

CHARLES KLEEKAMP: Yes. Thank you very

much, Mr. Rosenberg.

My name is Charles Kleekamp. I'm a resident of Sandwich, and a recently retired professional electrical engineer.

As a disclaimer, I want to state that I have absolutely no financial interest in or employment with Cape Wind Associates; however, I am a Director of Cape Clean Air, an advocacy group for public health, and I am a supporter of alternative energy sources.

With respect to the wind data tower, I urge the Corps of Engineers to approve this permit as soon as possible as the information to be gathered is absolutely crucial to the progress of implementing the proposed offshore wind farm by Cape Wind Associates.

In particular, I believe the economic viability of the project depends on having accurate data on wind conditions at this particular location. The reason being, as another gentleman said, the power developed by a wind turbine is directly proportional to the cube of the wind speed within the operating range of the machine. For example, if the average yearly wind speed turns out to be

18 miles an hour, instead of an assumed 20 miles an hour, which is incidently data taken from the best available generalized maps of wind resources, the power output would be 27 percent lower than expected.

Since electrical power output in megawatt hours is the only product of this endeavor, this example of a difference of a mere two miles an hour would reveal a loss of 27 percent of revenue. This fact could lead to a conclusion that the project is simply not viable. On the other hand, if it were the other way around, the power developed would be 37 percent greater. Again, a difference of only two miles per hour in average wind speed.

Thus, there is an absolute necessity of any wind project to have specific site wind data over an extended period of time, at least one year to account for seasonal variations to accurately project the expected power generation and viability of the project.

Therefore, I urge you to approve this permit as soon as possible so that Cape Wind may substantiate a viable operating plan and answer specific questions in the follow on permitting

issues.

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Derek Haskew, followed by Daniel Morast.

DEREK HASKEW: Good evening. My name is Derek Haskew. I am a staff attorney with the energy program for Massachusetts Public Interest Research Group. We are a statewide organization representing 55,000 members statewide, and on the range of issues from healthcare to environmental concerns to consumer protection.

For the last 30 years, MASSPIRG has made a reputation on its advocacy on behalf of the public interest, and we do that not on the basis of presuming that something is good, but on the facts as we are able to collect them and then present them.

In this case, we have been advocating for clean energy and renewable energy and energy efficiency for the vast length of our -- bulk of our history. So it is with eagerness that we look to a project like this and hope to endorse it. We have already conditionally supported it on the basis that

the Cape Wind Project appears on balance to be exactly the type of project that we believe this nation needs more of and this state in particular. When compared with the threat to the Cape posed by the Pilgrim plant, which would render the entire peninsula uninhabitable in perpetuity should there be a major problem, we think that the 26-mile area is a relatively small area to -- to dedicate to clean power.

Similarly, the potential for oil drilling off Georges Bank is currently off the books, because of a moratorium; however, that moratorium is only 10 years and certainly could come back if we continue to dedicate ourselves to oil drilling. As the debate continues to unfold in the Senate, we may be facing that question again here soon.

So on balance, we would like to support Cape Wind's project; however, as I said by way of introduction, we want to base our opinions on the facts available. The facts need to be further developed. In this case, there are several concerns that we want to look at more closely, and this wind tower provides the opportunity to develop those

facts so that we can move further into the debate about the merits of the project.

For that reason, MASSPIRG supports the development of the tower. Again, as the previous speaker said, as soon as possible, to develop as comprehensive a set of facts as possible.

Thank you for your time.

MODERATOR ROSENBERG: Thank you, sir.

Next speaker Peter White.

AUDIENCE PARTICIPATE: Peter White had to leave.

MODERATOR ROSENBERG: Thank you, ma'am.

Followed by -- I'll figure it out.

(Laughter.)

DANIEL MORAST: Thank you, Colonel, ma'am.

I represent the International Wildlife Coalition and Conservation group based over in East Falmouth working on international and local wildlife and whale policy issues.

Now, it wouldn't surprise people here that I would be willing to make value judgments and state opinions with regards to my stand against this project; however, addressing Army Corps who has

authority in this matter, certainly at this moment, I would like to specifically state that I somewhat resent the notion that we have been told that this hearing is just about one tower. In all respect, it is about 171 towers. This is only the first one. And I'm surprised that we're taking action and you're only looking at the impact of one tower. The big project of 170 towers is what is really at issue. And fine, they're working under an Environmental Impact Statement, and it may take years to produce. That impact statement may identify a number of issues that this tower should monitor, or other things that it should monitor that could be on it. And I'm wondering why the Army Corps isn't showing the leadership to look at this Environmental Impact Statement process, put off a decision on this permit until the entire picture is there, biological and mechanically entered and in speaking is there for us to consider, for you to consider, and then come back in conjunction with Cape Wind, or any other entity, say this is what should be on that tower, and this is how the research should work, and not leave it in the hands of the developer.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker is -- pardon me.

Ed Mongiofico.

ED MONGIOFICO: Well --

MODERATOR ROSENBERG: Well --

ED MONGIOFICO: -- reasonably close.

MODERATOR ROSENBERG: Reasonably close.

Ed will be followed by --

ED MONGIOFICO: Ed Mongiofico.

MODERATOR ROSENBERG: -- Russ Haydon.

ED MONGIOFICO: My name is Ed

Mongiofico.

(Laughter.)

ED MONGIOFICO: I want to speak in strong support to this particular data tower, and I hope it will reveal the liability of the wind project in general.

First of all, whether we are for or against the wind farm, I think it's sort of obvious that we are better off to have data than not to have data; and so, therefore, I would encourage our ability to have this tower go up, collect the data that would allow us to include that -- those facts

in our decision-making process.

I have tried to study carefully the -- as best as I can, through the information available, the European wind farms. They are well ahead of us. And I mean, I have been very impressed that the cost per megawatt hour is dropping significantly in the course of the years that the data is available. I'm also impressed with the fact that the reliability of those wind farms seems to offset any of the concerns we might otherwise have had.

I'm proud to follow the European example in the reduction of harmful emissions and less dependency on foreign oil and other fossil fuels here.

I have a home in Cotuit. I have had a home there for 20 years. I keep my boat in Cotuit in the summer. I look forward to continuing to fish around Horseshoe Shoals, but with the pride of a magnificent alternative energy source in my backyard.

I hope you will approve this quickly.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Russ Haydon, followed

by Liz Argo.

RUSS HAYDON: Good afternoon. I live in O'ville.

When I first heard of the project -- the Cape Wind's project, I was told that my electric bill would go down and then my property taxes would not go up. Great. You know, it's a wonderful country.

(Laughter.)

RUSS HAYDON: Then the hysteria started, and we have all heard it.

Do you mind if I rotate this a bit?

We have heard the hysteria. One lady I spoke with said, Oh, she objects to it, because of the sound. There will be a noise. I asked her, What would be the decibel level? Have you heard anything about that? What is the frequency range of the sound of the turbines? Oh, they don't know that, but they, you know, the old they, they told her it would be noisy on Old Stage Road right over here on Main Street. It's going to be noisy. Baloney.

Wait until you get the facts. Wait until you get the information. Some of you, my

generation, may remember years ago there was a gentleman named Joseph Goebbels, and he worked for the German government at the time, and he had to be deal with the propaganda. And he espoused the concept that if you told a lie frequently, often enough, repeated it, repeated it, people would accept it and believe it.

And I'm thinking of another lady I know that has a home on the south side of the Cape, and she objects to it, because she was told the lights in her bedroom would be blinding.

(Laughter.)

RUSS HAYDON: Amazing. There is no credible reason for that.

Earlier this evening, this afternoon, Mr. Rosenberg mentioned that the Corps takes no position on this project; that they are waiting for the data. They are waiting for these facts. And yet I see some of you, by the way you're sitting, you have already made up your mind. You don't want facts. You don't want information. You know what you are going to -- how you are going to vote on it.

All I would say to you, unfold your arms, relax, chill out.

(Laughter.)

RUSS HAYDON: We've had enough propaganda. We have had enough hysteria. I think it's time for the end of the lies, the fabrications, the half truths, the innuendos, the fables. Let's deal with the facts.

I envision some years from now perhaps a visitor to the Cape would come and have a conversation with my grandchildren, our age, and they would talk about coming to the Cape to visit the wind farm project, because it's a destination. And they can also take a fishing boat going out there, because it's a great fishing spot, as we all know --

MODERATOR ROSENBERG: Thank you, sir.

RUSS HAYDON: Thank you.

MODERATOR ROSENBERG: Thank you. Thank you.

Our next speaker, Liz Argo, followed by Karen Morris.

LIZ ARGO: Hi. My name is Liz Argo, and I'm following on the heels very appropriately.

Every meeting that I have been to on the wind farm is mired in the what-ifs and the fears

surrounding the project. I hope the Army Corps of Engineers and the complementary agencies can hasten to put an end to the redundancy of negatives based on projection soon. Clearly, the proposed testing tower is a step towards this end. It's critical that the conjured fears presented by the proponents to the wind farm be settled. Any and all responsible opportunities to lessen dependence on fossil fuels, lower our adverse effect on the environment to our pollution must be embraced. The monitoring tower is the first step to responsible decision around a wind farm. Whether it's here in Nantucket Sound or elsewhere.

Any effort to impede this installation would be selfish, irresponsible, and suspicious.

I was born and raised on Cape Cod. I am a member of the Cape Cod Chamber of Commerce and a parent of two teenage children. My children attended a public informational meeting around the wind farm, and they were shocked that anyone, Cape Codder or other, could be so selfish as to try to deny our country the same renewable energy the largest part of Europe utilizes just because it's in our backyard. Many of us Cape Codders are proud to

contribute to the greater good; and, uh, P.S., we think the windmills are beautiful.

MODERATOR ROSENBERG: Thank you, ma'am.

Next speaker, Karen Morris, followed by Gale Klun.

AUDIENCE PARTICIPATE: Gale Klun had to leave.

MODERATOR ROSENBERG: Karen Morris.

Bruce Gibson.

Sir, I just got a little nod from the stenographer to -- could we take a short recess at this point and come back.

COLONEL BRIAN OSTERNDORF: Is that what the nod means? Let's take about five minutes.

MODERATOR ROSENBERG: Thank you.

Ladies and gentlemen, we will take a very short recess. Facilities are on this floor and downstairs. And a reminder, the stenographer is available over here if you want to make statements. That will now be taking place.

Thank you.

(Whereupon, at 7:10 p.m., there was a short break taken.)

MODERATOR ROSENBERG: Ladies and

gentlemen, thank you.

Our first speaker as we return from the recess will be Michael Zavell. He will be followed by Carol Crowell.

MICHAEL ZAVELL: Thank you very much for the opportunity to speak. My name is Michael Zavell, and I'm here representing TPI Composites and myself.

We are in strong support of Cape Wind's data gathering tower. We believe that this equipment is critically important in assessing the viability and the environmental impact of installing a wind farm at this location.

TPI for the last 40 years has been producing many of the boats that fly these waters. We have hundreds and hundreds of boats per year that all sail in this area. So we are also very interested in them.

We are also devoting considerable resources to this form of renewable energy. Personally, I have a very strong connection to these waters. I have sailed all my life. I have taught sailing with little children. I have coached sailing at the collegiate level, and I have coached

our US Olympic Team all over the world, and there is really no place that I would rather sail than right here. It's a beautiful, beautiful area.

I'm sure that installation of these turbines in this area will not diminish the beauty of the area. In fact, this time last year I was flying into Copenhagen and I saw the middle Grunden Winds Farm which is 20 turbines of comparable size, which is being proposed here. They are breathtaking. They are absolutely beautiful.

It's widely known that wind energy has proven to have a profound effect on reducing air and water pollution, solid and radioactive waste. Renewable energy is going to reduce our dependence on foreign sources of fossil fuels, which in themselves are a diminishing resource, we know that. And it also insulates our consumers from the volatile price fluctuations in fossil fuels.

What else needs to be considered when we are looking at these things are the economic impact that this energy industry can have on our local economy. Local production of these extremely large structural components will create jobs in the field of engineering. Manufacturing and research,

manufacturing turbines for just a project of this size could gain hundreds of jobs for a local economy, and in engineering and manufacturing and project management.

The New England states have a long history of designing and producing many of the complex structural composite parts that we're talking about here. In leveraging the capacity for industrial applications, such as wind turbines, is going to diversify in strength our region's capabilities in this area. We also have wide-ranging implications for aerospace, civil engineering and infrastructure, and a number of other applications. So I think there are a lot of collateral benefits to doing this, and I think that step one is to support Cape Wind in putting this data gathering installation in so we can learn whether it makes sense or not.

And I thank you for your time.

MODERATOR ROSENBERG: Thank you, sir.

MICHAEL ZAVELL: And thank everyone for coming tonight.

MODERATOR ROSENBERG: The next speaker, Carolyn Crowell, who will be followed by James

Liedell.

CAROLYN CROWELL: Good evening.

I -- I'm speaking in behalf of the Cape Wind's project, because I feel it is important that we find that we can utilize either wind or solar energy in order to reduce our dependence upon fossil fuels.

I have been concerned though about the bird migration potential, because not really enough is known about that.

And also I wondered about what is going to be the area of turbulence which these wind propellers are going to create?

And how wide an area, how much wider area is it going to be, is the turbulence going to be performed as a result of this -- of the blades going around?

And I'm also wondering about the vibrations on these -- the sea floor, what affect that may have on it, with a continual revolution of all these towers?

So these are some questions which I have not found adequate answers to, so that although I am generally in favor of the idea of the wind farm, I do think there is more study that needs to be done;

and therefore, this test power perhaps would be the first step in trying to gather this kind of information.

As far as NIMBY goes, I think that regardless of -- I would like to see what the results might be and the potential use of other areas besides Nantucket Sound because of its aesthetic and tourist attractions and that kind of thing, but I am afraid regardless where it may be moved to, or some other location be used instead of here, there still will be a bunch of NIMBYS who are going to be -- that you are going to hear from loud and clear.

Thank you.

MODERATOR ROSENBERG: Thank you, ma'am.

The next speaker, James Liedell, followed by Captain Conant.

JAMES LIEDELL: My name is Jim Liedell. My wife and I have lived in Yarmouthport since 1994, and I am an enthusiastic sailor and certainly enjoy Nantucket Sound, but I'm not headed that way in this presentation or comments. I represent myself only, and my opinions are those.

I am a graduate of Cornell University in

mechanical engineering; an M BA from RPI; registered professional engineer in New York. I volunteered military service and have spent some time in the Corps of Engineers. Then I went to work for General Electric for 38 years mainly in the power generation area in technical and management positions.

As a result of those positions, I became aware of significant health and other hazards, acid rain, up in the Adirondacks seeing lake after lake die to acid rain. So I am aware of the negative impacts of coal -- of coal, oil, and even gas-fired energy. And, of course, nobody has emphasized too much the terrible consequences that could occur from nuclear energy. And whatever the odds, we can't rule that out that that could happen at any place in the United States where there is a nuclear facility.

I have listened closely to both sides, and I concluded the facts are strongly on the side of the wind farm, and most of the opposition boils down to as many speakers have frankly admitted tonight, not in my backyard. Put it somewhere else. It's a great idea, but I don't want to see it.

I have written and questioned a number of organizations opposed to the project asking for

their logic or their reasons. And frankly, I have received nothing that has any technical depth or real merit to them, in my opinion. Be that as it may, almost everyone I have heard or seen in print, heard tonight or in the past has agreed that the electrical power from wind generation is a necessity. It's a necessary major future requirement for civilization as we now know it.

The proposed scientific data gathering tower will provide some of the information needed to advance this necessary future major source of electricity. And that was aptly pointed out by the Department of Energy speaker. I mean, there is somebody that, you know, has these facts. It's his job.

Also, the data gen -- gathering tower will provide information on waves and tides and what that could produce in the future in terms of electrical power. So from one other perspective, I believe that the national security of the United States and even our long-term standard of living should not be held hostage to not-in-my-backyard phraseology or thinking.

I think that we have to keep strongly in

mind that we are not just residents of Cape Cod and the Islands, but we are also responsible citizens of the United States and have a legacy responsibility to our children and grandchildren.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Captain Justus Conant, followed by J. Thomas Smith.

JUSTUS CONANT: I represent myself. I am a charter fisherman, a recreational fisherman and an outdoorsman.

From the US Coast Pilot, which is brought to us by and the attention of NOAH. Distance of visibility of objects from the sea, which has been not addressed by either board nor person other than myself.

This table gives a geographic range of visibility of an object, which may be seen by an observer at sea level. It is necessary to add the distance for height of -- of any object the distance corresponding to the height to the observer's eye at sea level. My height is six feet. I've done a quick equation of this and --

AUDIENCE PARTICIPATE: Excuse me, sir.

Your microphone is off. You just got to hit that button on there.

JUSTUS CONANT: Talk?

AUDIENCE PARTICIPATE: The top one there.

AUDIENCE PARTICIPATE: Right in front of the black -- the big long microphone right there.

JUSTUS CONANT: Oh, right there. Okay. Sorry about that.

AUDIENCE PARTICIPATE: Thank you.

JUSTUS CONANT: The height of my eye is six foot. At 2.9 nautical miles, what you will be seeing with the corresponding height of object that at 24 miles, you will be able to see these objects at 26.9 miles. That will be the tip-top. At 13 1/2 miles, you will be able to see half of these objects at 420 feet. So standing on my beach, or our beaches in Cape Cod, such as Cotuit, which is 5.5 miles, you will be able to see an average of three-quarters of this town. Structurally, three-quarters will be seen at height of eye.

The other consideration is why haven't we invited the National Marine Fisheries to do a study on the squid habitat, which comes to Cape Cod

and the Islands to breed each year. With the full moon coming, we know the viability of squid. Squid feed every aspect of the ocean and us, as calamari on our plates. They feed the dolphins, the seals, the striped bass, the blackfish and the tautog. The tautog also breed in this area. I know this, because I have caught them, and they have been laden with eggs.

We need to do research on this impact on the breeding species of these shoals. As a commercial fisherman, as a captain and as a recreational fisherman, I believe that we have to reiterate the environmental impact on these fishing grounds not only for the sake of the clean energy, but also for a clean ocean.

We have also seen in the past when we have been in these big projects, such as the Hoover Dam or any of the western rivers that we have had an impact on the Atlantic -- on the coastal salmon and those spawns. Here in New England, we have wiped out and degraded the Atlantic salmon in under 200 years by building dams on rivers.

Only in the past 20 years have the salmon started to run again because of fish ladders.

We need to study these species.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, J. Thomas Smith. He will be followed by Stephen Buckley.

Stephen Buckley.

STEPHEN BUCKLEY: Hello. My name is Stephen Buckley. I run a free news service called Cape Cod Wind Farm News that is distributed by e-mail.

Before I get to that, I would like to say that I recently moved back to my hometown of Chatham after spending the last 20 years in the Washington, D.C. area, where as a federal environmental engineer, I wrote and reviewed environmental impact studies for the Department of Defense and the Department of Energy.

As a federal employee involved in the development of environmental impact reports, I was often frustrated by the persons -- by the fact that the persons most affected or interested by federal proposals were not adequately informed of the details and developments in the decision-making process, such as the availability of impact reports

for public comment.

And that's why I set up the Cape Cod Wind Farm News as an e-mail service so that people could get changes in applications, such as the ones that was mentioned in the presentation earlier, things that are not covered by the traditional news services.

Cape Cod Times, along with other local papers, have done a fine job, but they are limited by the fact that they have only a certain amount of space, and things like public notices aren't usually carried, at least to the same extent they're carried in the Federal Register.

So this will be a free service. I am doing it as something of a hobby. Like I say, I no longer work for the federal government so I am no longer constrained by the bureaucracy.

At this point, I wanted to point out that the difference between an Environmental Impact Statement and an environmental assessment is often misunderstood, and it's -- as we all know, the Corps is going to do an Environmental Impact Statement for the wind farm, and what -- I'm not sure what was said earlier, but there will be an environmental

assessment, which is a smaller document, that will be done for the data collection tower that is being considered now.

The difference basically is one is about -- Environmental Impact Statements, we have heard those before. They are about three to 400 pages on average. Environmental assessment is much smaller. It is about 30 or 40 pages, in that neighborhood. And the environmental assessment for the data collection tower will be done probably sometime, I imagine released this summer. That is -- something like that, the getability of that document would be something I would try to get out and pass around so it could be commented on as soon as possible.

So it's not an either/or problem. Not an environmental assessment or Environmental Impact Statement. It's one where an environmental assessment is supposed to be the document that precedes an Environmental Impact Statement. So I would ask that the Corps do a 40- or 50-page document, fill in the gap in the process that you have been talking about. Aid as the federal regulations say, aid in the decision-making process

so that we won't just end up with a 400-page document next year, and so it will be more of a greater process in the decision-making process. And if anyone wants to know more about the Wind Farm News, then they can see me over here and give me their e-mail address.

MODERATOR ROSENBERG: Thank you very much.

STEPHEN BUCKLEY: Thank you very much.

MODERATOR ROSENBERG: Our next speaker, Kenneth Cadrán. He will be followed Ron Borjeson.

KENNETH CADRAN: Colonel, Mr. Rosenberg, and Mr. Adams [sic], thank you for inviting us.

First of all, I am for the data collection tower. I feel the data is necessary to help the wind farm people decide just whether they are going to be able to go ahead with this or whether it's just going fall flat on its face.

I'm also for the wind farm, but my mind is still open to hear the arguments against as we have heard tonight.

I do have a few questions. The Alliance to Protect Nantucket Sound has put out a little flyer, and they make a statement here: A public

resource will be taken over for private profit. Of course, they are speaking of the Horseshoe Shoals.

My problem comes with the fact that we only have commercial fishermen up there. We have ferries going to and from the islands.

Are they not private industries using a body of water belonging to the people of the country?

I have a few questions for the wind farm people also: Whether any effort has been given to checking into the use of solar panels or wind power. And for the benefit of those that don't understand wave power, it's the use of the currents in the oceans to turn the turbines to produce the electricity. I believe Holland is a good example of a project like that going on.

In conclusion, I'm from the Town of South Yarmouth. I attended the Yarmouth Town Meeting last night and the night before, and it's good to come here, because I believe what I saw last night in our town and obviously here tonight is an excellent example of democracy in action, and I appreciate the fact that we have laws in this country that require us to have public meetings like

this.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Ron Borjeson, followed by Wayne Kurker.

Wayne Kurker.

WAYNE KURKER: Kurker.

MODERATOR ROSENBERG: Kurker.

WAYNE KURKER: Hi. My name is Wayne Kurker. I operate Hyannis Marina, and I am a member of the Alliance to Protect Nantucket Sound.

And I'm opposed to the tower, because permanent structures are a hazard to navigation, and the only hazard -- the only permanent structure we had in the whole Nantucket Sound is the Bishops and Clerks, and it sits on a natural hazard. It sits on a rock pile, and it's -- and it's -- and I would hate to see more hazards be placed out there that are unnecessary. And if the only purpose of the proposed tower is to gather scientific data, I don't see why the proponent just couldn't install a weather buoy, because weather buoys seem to give us the same data that the proponents said they needed. I looked it up in the Internet today, and the

weather buoy said they could give us wind direction, wind speed, wave gusts, air temperature, water temperature, et cetera, et cetera.

And buoys are temporary, so we don't -- we are not concerned with them, because they are going to go away. We're not going to have to watch them decay or pay to have them removed. And even the Bishops and Clerks, the one structure we had out there, was out of action for 40 years. We just finally got that rebuilt like two or three years ago. And the proponents need a tower to get measurements at some high height, which I don't know about. And my thought is, why couldn't they just use the crane on a barge? It has got to be possible to leave large cranes on large barges out there, because when they do their construction, they are going to need large cranes and large barges or else large jack-up rigs. So at least these type of structures would -- we think that at least these things would all be temporary, and the public would never have to pay to remove them or watch them rot away forever.

And if they want good data, it's good if the devices they used up for the -- the measuring

devices they use are portable, because for those of you that have ever been out in the Horseshoe in the fall or winter, you know that there are tens of thousands of birds out there during those seasons. And unless the birds can fly two around the windmill safely, they will be -- they will be killed.

So if you want to track the flight paths of birds in a 25-square mile area, you'll need to -- it seems to me, you need many fixed structures, because I don't see how one fixed structure could -- one fixed structure could give you all those flight paths of the different birds. I just don't see how one tower could give you all that info for an area the size of many small towns.

And on a personal note, I can guarantee you that when you're out there at night during that time of year, and you come up to them, come up on them -- on the birds in a boat, you spook them. And they fly -- and they fly in a frenzy. If they do that with windmills in the area, they will be massacred. So please be mindful that if you really want -- if they really want good data, that I think it's impossible to get this data from just -- from just one -- from just one fixed tower. So I

strongly recommend the use of sea buoys or barges or both. And for those that aren't familiar with that, put on your gray VHF channel, weather Channel 1. You hear this all day long, you hear all this same info.

Thank you.

MODERATOR ROSENBERG: Thank you. Thank you very much.

The next speaker, Gregory Egan. He will be followed by Peter Whitlock.

GREGORY EGAN: Good evening, Colonel, Ms. Adams, ladies and gentlemen. My name is Gregory Egan from West Barnstable. I'm on the Board of the Cape Cod Marine Trade Association, also affiliated with the Alliance to Protect Nantucket Sound.

I am strongly opposed to the introduction of this proposed test tower in our Sound. I appreciate the opportunity to speak on this important issue.

A couple of quick comments. I'm also a graduate of Mass. Maritime Academy and maintain a continuing affiliation there and would like to note that the previous letter submitted to you does not necessarily represent a unanimous feeling of our

school.

And that the other item was, I was pleased to hear my friends from TPI come here and speak also. In the interest of full disclosure, I might have hoped that they reported to you folks that they manufacture wind turbine blades.

In any event, the public has been continually exposed to the developer's competent assertions that the proposed location has been chosen after exhaustive study. We now need an intrusive test of our apparatus to apparently tell us the same thing. This poses an engaging question: Are these developers simply going through the motions with the test-out proposal in order to satisfy your agency of their true concern and due diligence, or are they legitimately unsure and not confident that the proposed location is the best spot, as they have claimed time and again? Neither question promotes an encouraging feeling as to the true intentions and forthrightness of developers or to the project as a whole. We know that the developers are sure of one thing, that our Horseshoe Shoals natural resource in Nantucket Sound is the most economical and easiest location to build their

wind plant. We have been told that virtually every one in their presentation that project won't impact our birds. We have been told that every one of the shoals that the project will not affect the commercial and recreational fishermen; and we have been told repeatedly that we will hardly notice the 426-foot structures off our shore. We have been told even with a straight face that this will not affect our tourism.

Science, they have maintained, is what led them to these and what leads them to these conclusions, conclusions which some accurately refer to as fairy tales. All of the various misrepresentations and -- misrepresentations and doublespeak made to the general public on this issue are disingenuous and cast a large doubtful shadow over the sincere ambitions and goals of the project. If the test tower is needed to rightfully determine if Horseshoe Shoals is the right location, then it follows that the application package for the complete installation project was premature and unnecessary. It seems that the whole project is backwards.

In conclusion, and based upon our

dealings with the proponents to date, we are competent that any data published from the proposed self-serving data collection structure will only be used to bolster their confident declarations that our Sound is the only and right place.

Please vote no on this premature request for installation of the test tower or perhaps more logically, require many other test towers in alternate locations in order to honestly gather comparable measures in the same conditions and simultaneously.

And I thank you very much for the chance to speak tonight.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Peter Whitlock, will be followed by Susan Scolles.

PETER WHITLOCK: Thank you for coming here tonight. And thank you for having this hearing. I am here representing myself. I am the owner-sole proprietor of a business, Cape Cod Computer Guru, but that is not really relevant to what I'm here to talk about.

I have some scientific expertise. I was an employee of Massachusetts Audubon for several

years. I was employed by the National Park Service out in Eastham, and I've worked for the Cape Cod Museum of Natural History, other groups leading related tours.

And from 1994 through 1996, I was a graduate student in wildlife biology at Boise State studying bird deaths in the Altamont Pass in California, and I helped develop painting patterns specifically for putting on wind turbines to prevent bird deaths.

I think the idea of this tower, this data collecting tower is fantastic to try and find out more about the winds in the area. I am disappointed in the honesty of the people or not -- I shouldn't say the honesty, but I'm somewhat sceptical, I guess, of the honesty that some of the people at Cape Wind, who mentioned that this tower was going to be used to collect information about the bird problem. I don't see that anywhere in this proposal.

But I do think that more information is desperately needed for this area about the potential bird problem. Several people have spoken about the species that could be affected. We're talking about

species that are economically valuable to Cape Cod. When you say Piping Plover, I think a lot of Cape Codders don't recognize that, but it's true that people come here specifically to see Piping Plovers and Roseate Terns and other species that could potentially, possibly be affected by this tower to some extent, but very limited and also by the -- by the wind farm.

I -- my gut feeling is that there is probably not going to be much impact on the birds, but the data is what we need, and we don't have that right now, and I just want to do everything I can to encourage you to collect good bird data, and I mean, a few years worth before proceeding forward, at least a few years before proceeding forward.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Susan Scolles, who will be followed by David Lillie.

SUSAN SCOLLES: Hi. My name is Susan Scolles, and I live on Brewster Road in West Yarmouth, which I happen to live on Mill Creek, which lets into Lewis Bay.

It's kind of a tough act to follow the

gentleman who just spoke as my primary concern is also birds, migratory birds, et cetera. However, I am overall opposed to the wind farm for all of the reasons that most of us against have cited: Impact to view; impact to fishing; sailing; rescues that might have to happen for fishermen or for sailors. I think we put the Coast Guard in a difficult situation if we have all of the wind turbines, all 170 of them, not to mention setting something 100 feet down into the continental shelf, which doesn't belong to Cape Wind Associates or any one of us.

My main concern, as I said, is bird life, bird migration, including endangered species; and it seems that Nantucket Sound is probably part of an ocean sanctuary. We have laws like the Migratory Bird Act and the Endangered Species Act to protect these environmental locations that these creatures need to survive. They are a part of their migratory pattern that has been established over thousands of years.

I am in favor of alternate forms of energy, but unfortunately I am opposed to the single data tower for the collection of data, because I think it implies an approval of the overall plan.

We don't have an understanding, or at least I don't, of what data will be collected or how it will be manipulated for presentation. If data is collected, either by this tower, or by subsequent data collection, I certainly hope that it's collected by many objective firms, and that I would expect that an objective firm would analyze and present the data, not Cape Wind, not a subsidiary of Cape Wind, or a consultant to Cape Wind.

Until a decision is made regarding the entire wind farm, I don't think any tower should be erected for collection of data or otherwise.

As far as folks who accuse people like me of hysteria, I would suggest checking things out on the Internet where there has been much talk about the bird kills at Altamont Pass in California, from the condors that we have just brought back from the brink of extinction. There is plenty of data out there about this sort of thing. A couple of sites are enn.com, the Environmental News Network, and towerkill.com.

Thanks for the opportunity to speak.

MODERATOR ROSENBERG: Thank you very much.

The next speaker, David Lillie. He will be followed by James Gordon.

DAVID LILLIE: Thank you for the chance to speak. I am David Lillie. I am a resident of Yarmouthport, and I speak as an individual citizen.

I have no connection with wind farm or others. I have, however, had a long experience in energy development areas. I was for six years on the Division of Research of the Atomic Energy Commission in Washington, D.C. and 25 years with the Research and Development Center at the General Electric Company in Schenectady. And over this period of 30-odd years, before I retired, I was very interested in all forms of energy generation, particularly this and all others.

I wanted to raise the point this evening that this is not just a local issue that we're talking about. It is a national issue, because there are no offshore wind farms in the United States, and whether they are feasible is a very important national issue. So that this is not just a local thing that we're talking about.

My second point is that we are just talking about a data gathering tower. In order to

determine whether a wind farm is feasible, there must be adequate data on wind velocities at different elevations and at different times in the ability to really see how much power would be generated out of such an installation. Therefore, the data gathering tower is very important.

I differ from some of our previous speakers in their belief that the data tower implies approval of the whole wind farm project. It clearly does not. It may be a basis for determining whether the wind farm project makes sense, but as an individual activity, it is -- it can stand by itself, and it is very important for that reason.

So I would urge you to approve this so that we can get the data that will help us determine whether wind farms really make viable sense in the United States and particularly on this location.

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker is James Gordon. He will be followed by Murray Glusman.

JAMES GORDON: Good evening. My name is Jim Gordon. I am President of Cape Wind. We have offices in South Yarmouth and Boston, Massachusetts,

and I have been a part-time resident of South Yarmouth for the past 34 years.

I would like to say that for approximately one year before we submitted our environmental notification form to the Army Corps of Engineers and MEPA and the Cape Cod Commission, our engineers, scientists, marine biologists and geophysicists have been studying this project very carefully and very rigorously. In the environmental notification, we pointed out that more data would be needed as we proceeded to carefully and rigorously analyze this project.

We are undergoing a very complex and rigorous permitting process, where myriad agencies are involved in putting in comments, asking questions. We have been up and down Cape Cod for over a year from Provincetown to Sandwich, speaking with organizations, rotaries, schools, business organizations. That too has engendered questions about the project, valid concerns, questions that have been asked tonight.

The scientific monitoring station that we ask the Corps to approve will help us continue our rigorous analysis of this project. It will

gather real-time physical data so that we can determine the economic viability of this project.

The data will also be shared with key educational institutions and organizations to provide them with information that they can use for other valuable uses.

There have been questions here tonight, and we appreciate all those that are participating in this forum. Everyone, everyone's comments, are carefully listened to. There have been questions asked about migratory patterns of birds, information that does not exist.

As part of our ongoing scientific analysis, even beyond the scientific monitoring station, if you deem to approve it, we will be putting radar on the Shoal to analyze migratory patterns of birds, information that does not exist, and that we intend to share with organizations like the Mass. Audubon Society.

Clearly, as we face climate change concerns, as we face energy security, we ask that we be able to continue our rigorous scientific analysis so that we can determine the viability and benefits of this project.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Murray Glusman. He will be followed by Regina Silvia.

MURRAY GLUSMAN: The PR people hired by Mr. Gordon, who proposes to build what is called a wind farm in Nantucket Sound, have been doing a remarkable job in trying to sway people to support the project. They consistently promote the term "the wind farm" for Mr. Gordon's plans. Wind farm is a euphemism. The word farm conjures up a rustic, bucolic image in most people's minds of a small patch of land with a few cows or sheep and a green pasture with maybe a small stand of corn and so on.

The image the PR squad eagerly hopes to convey is that. The truth is Mr. Gordon intends to build a massive wind-driven power plant that will dwarf in size the existing canal-side power plant in Sandwich. It will be one of the largest, if not the largest power plant of its kind in the world. It's high time we called a spade a spade and a monstrous earth-moving power shovel a monstrous earth-moving shovel.

The PR squad has also been struggling

mightily to sidetrack the debate about the power plant from the true issue, which is the site of the proposed power plant to an entirely different issue, the merits of wind-driven power plants versus those of conventional power plants. Few would argue against the promise of wind-driven power plants in reducing atmospheric pollution and dependence on foreign oil.

The real question is where should one put a massive plant regardless of its merits. You wouldn't consider putting a wind factory in the middle of a population center, for example, Sheep Meadow in the New York City's Central Park, Copley Square in Boston or the Mall in Washington, D.C. It would be ridiculous to even think of such locations, because they are out of bounds and well-protected by all sorts of municipal building regulations.

Other locations are also out of bounds: Yellowstone Park; the Grand Canyon, and other national parks, because these places are scenic treasures, and they're protected by all kinds of restrictions.

But Mr. Gordon and his associates feel that they have found the perfect location for their

factory, Horseshoe Shoals in Nantucket Sound. State controls extend to 4.0 miles off the coast of Massachusetts so they plan to put their factory 4.1 miles off the shore of Yarmouth in unregulated federal waters.

The US has thousands of miles of coastline along the Atlantic, Pacific and Gulf Coast. Surely, it should be possible in those thousands of miles of coastline to find a geographical location that will supply all the requirements for a wind-driven power plant. But, no, Mr. Gordon and his associates, with remarkable arrogance and complete disregard for the interests of others, plan to put their factory in the very heart of Cape Cod, the most important recreational and vacation center in the Northeast.

Cape Cod, because of its superb beaches and matchless open vistas, is a national treasure that will be ruined by industrialization. Cape Wind's plans point to a crying need for Cape waters to be federally protected just as the Cape's National Seashore is.

Mr. Gordon's plans emphasize the urgent need for the US to establish strict rules regulating

the utilization of our coastal waters --

MODERATOR ROSENBERG: Thank you, sir.

MURRAY GLUSMAN: -- of course, without such waters, and without such regulations we may find that Mr. Gordon is simply the first of a swarm of developers bent on exploiting our coastal resources for their own financial profit.

MODERATOR ROSENBERG: Thank you, sir.

Thank you very much.

Our next speaker, Regina Silvia, will be followed by James Cummings.

REGINA SILVIA: My name is Regina Sylvia. I am a biologist with the International Wildlife Coalition. I have been studying plant and marine mammals, primarily whales, for the last 12 years.

A concern that I would like to raise tonight is one that I haven't heard as of yet, and that is the acoustics of the area. All we have heard about is the airborne acoustics and what these are going to sound like when people are at their homes, but what they haven't been listening to or haven't addressed at this point is the underwater acoustics and how that is going to impact the marine

mammals specifically in the area.

I agree that we need to base things on sound scientific data. The proposal for the test structure at this point does not seem to address any of those concerns. Monomoy is the area that has a substantial seal colony on it. We do know what the acoustical ranges of seals are. We don't know what the acoustical range of this wind farm is or what the potential test structure will be.

We do know that whales are infrequently seen in Nantucket Sound, but we do know that they migrate past the Sound, and we also know that the low frequency of acoustic communications of some larger baleen whales exceed 1,800 kilometers.

These things have not been addressed, and they are a major concern in the federally protected species. We also know if -- although they have talked about the stability of the structures, and I think they haven't talked about the construction and the acoustics of what will happen in the construction. We do know that from other wind farms that occurred in Europe, as the studies indicate, that intermittent loud noises cause alarm responses in fish and result in fish abandoning the

areas.

The fish are an important food resource for the marine mammals in the area, and so we would like to address those concerns, but primarily to the Corps. They indicate that these have not been addressed yet for this test structure, and we don't feel that a test structure should go through until those things are looked at.

Thank you.

MODERATOR ROSENBERG: Thank you. Thank you very much.

James Cummings will be followed by Chris Stimpson.

JAMES CUMMINGS: I'm James Cummings. I live in Chatham, and I represent my own opinion.

I have been quite interested to hear from all of these people with a negative approach to this thing that most of their concerns seem to originate from a lack of knowledge, a lack of background on what this project is all about.

At a recent meeting of the Cape Cod Men'S Club, we enjoyed a 90-minute presentation by the Cape Wind group, and we enjoyed it thoroughly, and we were very impressed. One by the pragmatic

approach that these people use on this project and the vast amount of knowledge and information that they already have in hand.

So I would like to suggest that they be given the opportunity to have an open house type of meeting like a Town Meeting type of thing, and make their presentation and invite all of the people with a negative attitude so that they can answer these questions firsthand with a precise answer that I know they have.

Now, in 1980, I had a wind generator in my own backyard in Chatham. And at that time, there was a great deal of controversy about it. We had a Town Meeting, and we heard all of the same concerns and objections that we're hearing here tonight, every one, it's a carbon copy. Then when those towers went up, all of those concerns just disappeared, very quickly. And, in fact, it did not scare tourists away. The tourists became a pain in the neck coming around my house to see this tower and learn more about it.

(Laughter.)

JAMES CUMMINGS: We couldn't keep them away. And I suspect that the same thing might

happen here.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Chris Stimpson. He will be followed by David Aubrey.

CHRIS STIMPSON: Mr. Facilitator, Colonel, secretary, ladies and gentlemen, I am Chris Stimpson. I have lived in Falmouth for over 20 years. I recently about a month ago moved to the Town of Bourne and in consequence can't drink my tap water, because it's fuel polluted.

I have three minutes. I am going too fast forward 50 years. I'm going to fast forward 50 years for a projection, not a fantasy, a protection of what the news headlines and evening news stories might be at that time.

For instance, the Energy Secretary today announced that as the last Middle East oil field had dried up, there were going to be severe restrictions on domestic field drilling in the United States.

President Spears was in the nation's capital today, and she, I guess that I am practicing --

(Laughter.)

CHRIS STIMPSON: -- she came under attack from lobbyists representing distressed citizens prohibited by recent laws from using gas-powered cars, furnaces and air conditioners. She was under attack for not sufficiently funding manufacturers of solar panels needed to overcome nationwide shortages of electricity.

In a related story, in Congress today, there was a unanimous approval given to a bill giving the government eminent domain powers over the entire US coastline for siting of wind turbines. Senators did not respond to criticism that the turbines about to be built would not produce significant power for some five years, but an anonymous source stated that wind power would have produced usable energy 20 years ago if early projected wind farm sites had not been canceled because of local opposition.

In health news, CBS announced availability of a new sunscreen lotion with SPF 600.

(Laughter.)

CHRIS STIMPSON: The Surgeon General recommended that all Americans planning on leaving

home in the future use this lotion, now that the hole in the ozone layer is extended to covered the entire planet.

Okay. Well, now we are now back in -- out of projections and into the year 2002.

And seeing since what you said, Mr. Silvia, at the very beginning, it seems to have been ignored by many people. Let's just reiterate the reason for this meeting. It's not to do with the entire 170 turbines. It's to do with a single data collection tower. And yes, we need that data.

But what if that data is bad?

What if that data shows, as one earlier speaker said, that Horseshoe Shoals is actually in an area of low wind?

And other speakers have suggested that captains of ferries collect this data. Well, I have seen high-speed ferries here, but not high-altitude ferries. So I don't think that's...

(Laughter.)

CHRIS STIMPSON: Someone else talked about weather buoys. Well, I think they only work about four feet above the surface, not 500 feet.

Here is the point. That if the earlier

speaker was right about Horseshoe Shoals being a low wind area, then I think we all see the wind farm people put out a great expense their -- their single data monitoring tower for a couple of years finding out that there is no wind out there, and taking it down and going away. So if that is what you really want, let them do it.

Thank you.

MODERATOR ROSENBERG: Thank you, sir, and hopefully the Corps of Engineers will be helping you with that water problem very shortly.

(Laughter.)

MODERATOR ROSENBERG: Our next speaker, David Aubrey, who will be followed by Megan Amsler.

AUDIENCE PARTICIPATE: Megan left.

AUDIENCE PARTICIPATE: Dave left.

Dave's not here.

MODERATOR ROSENBERG: Dave is not here?

Megan, Megan.

AUDIENCE PARTICIPATE: She left.

MODERATOR ROSENBERG: She left?

Vernon Christensen.

John York.

Our individual with integrity, Liza Cox.

Liza Cox, you will be next.

JOHN YORK: I'll give you -- my name is John York. I am a resident of Cape Cod. I live in the Town of Bourne.

Actually, I'm going to try to keep myself from speaking about the wind farm project and try to keep it to the tower. I'm not sure many people have, but I do have, I'll say a little bit about the whole project.

I'm strongly in support of wind power. As a disclosure, 20 years ago I made my -- made windmill blades. And I haven't made any money in the windmill blade industry for at least 15 years. I build boats now.

But specifically about the tower. The concerns that I have about the tower are in the data gathering, which has been promised to be available to certain key public institutions, and I think since this tower is going on public property that -- and is being -- essentially this is a gift to Cape Wind from the federal government, or whoever is to determine that jurisdiction, which as I understand isn't entirely determined. There are some claims. But as far as that goes, as a gift to

Cape Wind, I think it should be very specifically stated in the permit exactly what their requirements are for providing the data to the public.

And I think the word key and where key institutions disturbed me a little bit, I think that it shouldn't be the key institutions. It should somehow be available to the public. I think it's important that it should go to key institutions, but that's sort of classing limitation on where that data goes. And I believe it's within your purview and permitting, made very specific requirements on making that data publicly available, because it is part of the project. And that is my request.

Thank you.

MODERATOR ROSENBERG: Thank you very much.

The next speaker, Liza Cox from Hyannis, will be followed by Tom Wineman.

LIZA COX: Thank you. Good evening. My name is Liza Cox, and I'm an attorney with the firm of Nutter, McClennen & Fish in Hyannis. I'm also a resident of the Town of Barnstable. However, I am here to speak before you tonight on the behalf of the Alliance to Protect Nantucket Sound.

Several partners from our firm testified before you at the wind farm scoping sessions held in March -- held in Boston and on the Cape this past March.

In addition, we submitted on behalf of the Alliance, extensive comments in the context of the joint EIS, EIR and DIR review process. The prior testimony and comments focused on numerous scoping issues, including the need for rigorous alternative analysis, careful review of the impacts on marine, avian, wetland, benthic resources, the impact of the proposed project on the Cape's economy, as well as a plateau of impacts to be reviewed by the MEPA office and the Cape Cod Commission.

In addition, our firm previously prevented -- presented testimony concerning the question of proprietary rights of the -- proprietary rights to the possession and use of federal public land.

While these concerns remain critical in reviewing the proposed wind farm project as a whole, the focus tonight is on the application to permit a data research tower. Although the project and the

data tower are being reviewed under separate permit applications, we maintain that they are interdependent and must be analyzed accordingly. The decision to permit a data tower at this preliminary stage in the wind farm review involves a fundamental policy question as to the nature and purpose of the NEPA and MEPA alternative analyses criteria.

At this stage, the scope of the EIS, EIR and DRI for the wind farm as a whole has not been delineated. There are numerous potential locations within the Northeast with water and land based that need to be studied as viable alternative locations for the proposed projects.

Thus, it is premature for the proponent to attempt to install an intrusive data gathering device at this particular location before the relevant scoping decisions are made. Once this scope is issued, and the alternative locations among other things are determined, it may then be appropriate at that juncture to consider data gathering devices. Moreover, alternative locations must be studied in the same fashion and at the same time.

If this data tower is permitted, any data gathered will be misleading as compared to data gathered at locations at different times, because of the lack of congruity in timing and method. Moreover, the Alliance is concerned that the purpose of the data tower is outside of the scope of what is permitted under nationwide Permit No. 5. We believe that the proponent is seeking proprietary business information in addition to collecting scientific data. We question whether this kind of proprietary for-profit use of this permit is permissible.

Thank you for your consideration.

MODERATOR ROSENBERG: Thank you.

The next speaker is Tom Wineman. He will be followed by Cheryl Marsh.

TOM WINEMAN: Good evening. My name is Tom Wyman, and I appreciate the opportunity to speak before you tonight. I am a resident of the Town of Barnstable, specifically the Village of Osterville, and I wanted to let you know that I'm speaking for myself tonight, but I am a member of the Cape and Islands Renewable Energy Collaborative, and I have been involved with that for a number of years since its inception.

I'm an advocate for renewable energy, all types, around the Cape and Islands, and I encourage the review of the available resources everywhere in the -- in and around the Cape and Islands. I think it's extremely important to get the approval for this test tower, because it will add significantly to the verification of data in the surrounding Cape and Islands areas, and it's valuable to know what that resource is that is available to the -- the residents and advocates for this to utilize this resource.

It's important that we finally -- it's important that we develop renewable resources and get away from dependence on fossil fuels. And I have been involved in wind resource data collection around the Cape so far, and I know that it's important that we get as much of this data up-to-date as possible. I know it's very sketchy data so far that we have been able to gather. There has been very few points of reference to verify existing data. So this is really important to further the known resource that we have out there, and that we all share.

I also think it's important to get a

visual reference for the Horseshoe Shoal area and allow people to understand what the hub height of these proposed turbines is, and realize that it is in comparison to Canal Electric, only half the height of the Canal Electric stack and only half the size in mass that the proposed towers would be. I realize this test tower is a monopole and more narrow than the proposed wind farm towers, but at least there is a visual vertical reference for the nacelle height, or the main structure that is proposed for out there.

I think that the previous speakers have spoken -- in speaking of the whole project, they are sort of diluting the issue here, and what we really need is better research for and knowledge sharing for all the concerns. I encourage all the concerns be addressed.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Cheryl Marsh.

CHERYL MARSH: My name is Cheryl Marsh. I speak for myself, but formerly I was a Senior Planner with the State of Alaska, doing legislation for earth hazards for south central Alaska. And I

have worked with most of the senators, the governors and the mayors of Alaska for the last ten years. I am very well-versed with the problems with the Arctic National Refuge and what has been going on up there. So I'm a latecomer with this project.

However, I would like to make some statements, and I would like to read a particular article that was written in the Scientific American, very lately, which seems to be ironic. It's from the Navy. It's called a sound of -- a lack of sound communication. And it was at this time last year that the acoustic thermometry of the ocean climate, and it's called ATOC Project was to begin. It was a \$35 million environmental research project led by geophysicists at the Scripps Institution of Oceanography at the University of California at San Diego, and it was delayed, because of public opposition based on part on poor communication.

At the center of this debate, there were two groups that would not normally be at odds. Scientists attempting to carry out research on global warming and environmental groups also worried about global climate change. The scientists hoped to measure changes in the ocean temperature using

sound. And if you can remember earlier, we did have a discussion on sound problems, particularly with whales and cetaceans with the woman that stepped forward as a biologist.

Some of the biologists and environmental groups, however, feel that this sound may pose a threat to the endangered marine mammal and sea turtle species. The debate has raged for more than a year. Now, as the decision on the fate drew near, each side had its own idea how the fray could have been avoided. We're talking about the lack of communication or cohesion. Because of a lack of data on the affects of low frequency sound on marine life, the project includes the marine mammal research program in which biologists plan to study the effects of the sound sources on marine mammals. And this group must first acquire permits from a variety of federal, state and local agencies. The National Marine Fishery Service permits are require under the Marine Mammal Protection and Endangered Species Acts. They are pivotal, because they would allow the group to disturb endangered animals.

I kept looking at this and drawing the same parallels. The Marine Fisheries Department

determined that an environmental review procedure under the National Environmental Policy Act would be necessary to analyze the potential consequences of this project. Of course, they had to do Environmental Impact Statements, hold public hearings, and address public comments.

Just to show you how skewed statistics could be, there were a lot of misconceptions. There was a very negative public reaction, particularly in California. When they were -- the draft Environmental Impact Statements were released in December in California, and January in Hawaii, these groups pointed to lots of misconceptions. One was decibel level. Decibel -- the scale is logarithmic. The decibel scale, because it was expected to produce sound 195 decibels of a source up to 1 million times greater than was actually proposed --

MODERATOR ROSENBERG: Thank you.

CHERYL MARSH: -- as a caveat. Remember Enron, they were an energy company, too.

MODERATOR ROSENBERG: Thank you very much.

CHERYL MARSH: Thank you.

MODERATOR ROSENBERG: We will now go through the individuals who have signed up, but they were not here when called. Let's see if they have returned.

Richard Peckham.

AUDIENCE PARTICIPATE: He left.

Matthew Palmer.

Peter White.

Karyn Morris.

Gale Klun.

Bruce Gibson.

J. Thomas Smith.

Ron Borjeson.

David Aubrey.

Is there anybody in this room that signed up, but did not sign up to speak that would like to give testimony at this time?

Sir.

COLONEL BRIAN OSTERNDORF: Okay. Just about three hours on the mark.

Well, I thank you tonight for providing your comments. Again, as I stated earlier, surely the fact that you were here tonight states your interest in this project, and we have listened very

carefully to those. A good diversity of opinions here. That is really what we are after. It's not just the volume of a particular comment, but the diversity of the things that you have asked us to look at, and I promise we will go ahead and do that.

Certainly the issues that were presented here tonight, along with the other ones that have been presented to us in past and that we will receive here within the next 30 days, will form the basis for us to make a decision that are in the best interests of the public. And it's quite a responsibility, something that we don't take lightly. And whatever the outcome is you have my word that we will at least make sure that we are very deliberate in making that decision as open as it possibly can be in providing you the rationale for them.

I again thank you for being here tonight. I thank the Town of Barnstable for the use of this facility. It was a great facility for us to be able to conduct the business of the people here tonight.

I thank the Police Department of Barnstable as well for providing us their services

here tonight.

I wish you a good night and hope to see
you again.

(Whereupon, at 8:26 p.m., the public
hearing was adjourned.)

O R A L S T A T E M E N T S

ALEX FRAZEE: My name is Alex Frazee, F-R-A-Z-E-E, and my address is 380 Main Street, Marston Mills.

And I am opposed to this tower, and I'm opposed for several different reasons. One is navigational problems. I think that just anything additional out there is not a good idea, but principally, I'm concerned about the birds; and even though they just told us that it would be an environmentally sensitive project, this particular one, it is in support of one that is far less sensitive, particularly to the birds, which is a very real issue to me. There is a lot of transport of endangered species through that immediate area, and I don't think that the final goal of this project is in the best interest of the birds, and that worries me a lot.

If this project is eventually allowed, please make absolutely sure that there's a bond for its removal, because that concerns me tremendously.

And that's it.

MEGAN AMSLER: My name is Megan Amsler,

A-M-S-L-E-R. I live at 23 Millfield Street, Woods Hole, Mass. 02543.

On behalf of Cape and Island Self-Reliance Corporation, I am here to support the application for Cape Wind Associates' permit for a single tower for collection of data.

We feel it is necessary to allow this tower to be constructed in order to be sure that this area is or is not an appropriate location for the proposed wind farm.

Cape and Islands Self-Reliance Corporation has been promoting renewable energy systems for over 22 years; and in light of energy-related issues facing this nation, we feel that it is necessary to allow this fact-finding process to take place.

PETER WHITE: My name is Peter White, W-H-I-T-E, and my address is 20 Mayflower Road in West Yarmouth, Mass. 02673.

And I'm a Green Party Candidate for State Representative in the second Barnstable district, and I support the installation of the data collecting -- collection towers but not just in Nantucket Sound but in other areas around Cape Cod

and the New England region, up and down the Maine coast, Massachusetts coast, Connecticut, Rhode Island coast, and any land-based sites that may be feasible for wind energy.

I believe there's dozens of possible sites where wind energy can be located, and people of Cape Cod and people of New England need to know what our options are, and it can be all different sizes and makeups of wind farms, but we need to know where we can site them and which locations we can use.

I have two other quick things. I'd like to ask that they please monitor the drilling and installation process and do not allow the use of barite, B-A-R-I-T-E, or other drilling compounds that release mercury or other toxins into the environment.

There have been some severe problems in other drilling installations, and there's a lot of mercury poisoning that's resulted in the fishing areas around those installations.

And I also request that they make all data available to the public, and they cooperate with representatives of the Cape Cod consumers,

including the Cape Light Compact, the Cape Cod Commission, the legislature, and town officials, but the ultimate decision should be left up to the people of Cape Cod, and they need that information to make an informed decision.

Thank you.

M. ELIZABETH ELLIS: My name is M. Elizabeth Ellis, E-L-L-I-S. I live at 50 Pleasant Street in the Village of Sagamore.

I think -- I've been listening to some of the speakers, and they have a lot of good things to say, but I'd like to know where were they when the expansion of the ugliest building on Cape Cod, the Canal Electric Plant, was proposed to be expanded, and came very near approval, by that, quote, esteemed body, the Cape Cod Commission.

Not only is it the ugliest structure on Cape Cod and a building that everyone has to look at, there's something worse about that building. It's dumping thousands of tons of pollutants on the people who not only live around the plant, but it's carrying it miles away, affecting the breathing problems of children and other people.

So many people in that area, including

myself -- I'm a new victim of the Canal Electric Plant. Having never smoked and lived a healthy lifestyle, I have asthma. It's not in my family. I can't blame the plant entirely for the problem. I'm sure that the vulnerability was there, but it's exacerbated, I'm sure, by the thousands of tons of pollutants that produce electricity that everyone in this room is enjoying at the expense of thousands of residents.

So I was very excited when I heard about the possibility of renewable, nonpolluting energy, and I appreciate the concern of people about the aesthetics. The windmills to me seem like seagulls compared to that monstrosity that almost everyone has to look at when they come onto Cape Cod.

I'm open-minded, and I'm going to continue to listen to the pros and cons of the project. I think that the opponents have brought out a few good points; namely, there should be a bond in place to dismantle the wind farm if for any reason it fails.

I wonder if there's a bond to dismantle the electric plant if it files bankruptcy sometime? The way some of Mirant's plants worldwide have done

recently; so, I do think that that is a good idea that has been proposed.

I'm not going to belabor it, but I am remaining open-minded; though, I'm very much in favor of it at this point.

I've been to several hearings, and many people present have expressed opinions both for and against the project, but for the most part, they have been just that, opinions, based on personal preference, including probably my own. I believe that it is time that we had more hard facts before these hearings go forward for a decision on the project.

The proposed data tower would provide us with invaluable facts which would be weighed in in the decision process; therefore, I support this request by Cape Wind Associates. I believe that the data gathered will be invaluable to both opponents and proponents of the project.

Thank you.

BRUCE WILLIAM GIBSON: My name is Bruce William Gibson, G-I-B-S-O-N. My address is number 2 Post Office Square, Harwich Port, Massachusetts 02646.

My fear and concern is how energy has been produced in the past, and what it has done and is doing to our environment in the present.

I am also concerned about how the ever-increasing need for energy production is going to be powered in the present and in the future.

The government tells us that by the year 2020, the energy needs will be increased by 40 percent of the existing usage in this country right now.

It appears to me this single, scientific tower will glean pertinent data that will help answer some of the unknowns to help us reach a sensible next step.

Being a past president of the Harwich Chamber of Commerce and also being at the meeting that the Harwich Chamber of Selectmen chose not to make any decisions right now because it's premature without the data that can be collected with a tower of this type; so, to come out pro or con would be foolish, if I might say, until some more information is done.

The Army Corps of Engineers has laid out a process that must be followed, information that

must be gathered. In order to gather that information, a tower like this is necessary.

It has been stated tonight -- numerous things have been stated tonight, saying that boats traveling across the water, planes flying through the air, people swimming in the ocean can give all the data that's necessary for a project like this. I know that's not so. I hope the Army Corps of Engineers knows that as well. I'm sure they do.

The energy that is necessary for this country now and in the future cannot be produced the way it has been done in the past.

A gentleman, Mr. Benson, from the Department of Energy has already stated at a previous meeting that there was approximately 40 years left of world reserve of fossil fuel. What are we going to do then? It's going to take many years, many projects, many different ways integrated to create the kind of energy that this planet needs.

To continue to pollute and degenerate this planet, to continue producing the energy the way we have is a suicidal mission. How self-seeking, self-centered, self-interested people can play the NIMBY rule -- the NIMBY role about not

in my backyard or front yard, depending upon where you live, how that can be used as a screen to keep this project from going forward baffles me.

We all have the duty to seek the solutions for this planet. They may want us to continue burning oil, burning gas, burning coal, and let those pollutants float across the ocean to the next country, just as we're complaining how the Midwest burns those fuels, and their pollution floats to our air. When is it ever going to stop?

It seems that this tower is one small step in gaining the information that will be used nationally as a model for gathering information.

Let's get off our butts and go forward. Approve the tower, please.

ANNE TRAER: My name is Anne Traer, T-R-A-E-R. My address is 27 Stoney Cliff Road, Centerville, Massachusetts 02632, and I'm representing my own opinion, not the opinion of any organization.

I have several concerns about the proposed test tower going into Horseshoe Shoal area of Nantucket Sound. One concern is that because the company proposing it is a for-profit, privately

owned company, what guarantees are we -- what guarantees do we have that the tower will be removed if, in fact, the project does not go forward, either because the Army Corps of Engineers will not provide a permit or because of financial difficulties for the Cape Wind Associates?

Another concern I have is that I'm disturbed that Cape Wind Associates claims to have investigated other sites but is not making that information available to the public; and the methodology used seems to point to the fact that Nantucket Shoals is the only site seriously in contention for this project.

This is the only site where they are proposing a data tower. The data provided will be from a single location and cannot be cross-analyzed by other potential locations, ones that are either further out to sea or land-based sites such as the Mass. Military Reservation.

Finally, the amount of time and effort and energy expended by local citizens and the Army Corps of Engineers to investigate this process seems to be greatly at odds with the public sentiment.

After attending several meetings, I

would estimate that about 85 percent of the speakers have spoken not against wind power but against this specific location.

As the scoping process continues, the Army Corps of Engineers continues to spend money on this process. Would it not be better served if that money were spent on investigating alternative locations that would be more acceptable to the local population?

KARYN MORRIS: My name is Karyn Morris. That's M-O-R-R-I-S. My address is 10 Stevens Way, in Harwich, and I just have a really short statement.

The quote's from Herbert Spencer, "There's a principle, which is a bar against all information, which is proof against all arguments, and which cannot fail to keep a man in everlasting ignorance. That principle is contempt prior to investigation."

How can anyone argue against a scientific monitoring station? We owe it to our children to explore all options regarding renewable energy.

I have three children. In my house we

have a rule: If you pour the last cup of juice, it's your responsibility to get another container out. This accomplishes two things: First, a sense of responsibility to your family when you've consumed a shared resource, and second, don't be the one to finish the juice. Maybe we could all benefit from this rule.

RONALD BORJESON: My name is Ronald Borjeson. My name is spelled B-O-R-J-E-S-O-N, and my address is 7 Wellington Circle, Sandwich, Massachusetts.

I represent the Massachusetts Commercial Fishermen's Association, and I'm speaking in regards to the proposed tower that the Cape Wind Association has for Horseshoe Shoal.

After reading and reviewing all the data and proposals for the scoping review at the previous Corps of Engineers' scoping sessions, I was enabled to find a few pertinent issues.

Number one, I believe there should be a comprehensive study done on the dynamic changes that will occur in the Horseshoe Shoal area of Nantucket Sound after -- that will be caused by these 170 large monopole -- mono pilings set in the

bottom of the sound. I believe these pilings will cause more shoaling and tidal changes that will forever change the bottom characteristics of Nantucket Sound and forever cause havoc and unseen distress and unrest amongst the spawning and migratory fish stocks that transit the area.

My other concern is to the electromagnetic field that will be created by these huge, electric cables. What will their effect be on the fish and shellfish and other wildlife in the Sound, never mind the mariners in the area?

Thank you very much.

MARIA SHEPPARD: My name is Maria Sheppard, S-H-E-P-P-A-R-D, and I live at 193 Sandalwood Drive in Cotuit.

I'm not opposed to renewable energy. I am very concerned about the proposed location of both the test top tower and the windmill farm.

I was in Ireland on vacation in January, and in County Mayo, and through our drives, through that lovely countryside ran across a windmill farm located next door to the nuclear power plant.

I'm not opposed, again, to renewable energy, but I have to say it was a complete blight

upon the landscape, not only was the nuclear power plant a blight, the windmill farm was also a blight.

I think there are many other places that can be considered for both the test site and the wind farm itself. We're talking about 170 turbines that if I'm not -- my math is not incorrect would be the equivalent of 16-story buildings each, so we're talking about a group of 170 16-story buildings located in the middle of Nantucket Sound.

Aside from all the environmental impacts that would -- that need to be considered, I just don't see any safety in it at all. I don't see what kind of information can be gathered from it. I think there are plenty of other places where a test site can be planned and other sources of energy that can be considered rather than right smack in the middle of Nantucket Sound.

Thank you.

PAT BURGESS: My name is Pat Burgess, B-U-R-G-E-S-S. I live at 108 Waterside Drive, Centerville, Massachusetts 02632.

I'm wondering if the tower will be removed if the project does or does not go through.

This project tower and wind farm would

be built on public land. Would the public still be able to use the land? Would it be fenced in or posted no trespassing?

Why will the height of the proposed tower not be erected at the original height that was planned?

Twenty-eight-square miles would be approximately what area of this town? It's hard to imagine what 28-square-miles out in the ocean would look like.

And what are the names of the people behind the Cape Wind Association?

And who would stand to gain monetarily from this project on public land?

And why is the tower project not required to have an environmental review before it is put up?

The tower, and perhaps later the wind farm, would be ugly and unsightly, not the image people think of or want to see when they come to visit Cape Cod and Islands.

Tourism would suffer; therefore, the Cape economy would suffer.

What other locations have been

considered for this project?

The location selection is selfish and inconsiderate of the public desires. It appears that the location would be the least costly to the developers.

And that's basically what I have to say.

BARRY NEAL: My name is Barry Neal. Last name is N-E-A-L. I live at 9 Leveridge Lane in Sandwich, Massachusetts, and I just wanted to come here to make a statement that I'm absolutely for the wind farm proposal.

In addition, I'm for having the weather monitoring station there. Like many people have said, you have got to have the data to support any decisions that you may make in the coming months.

Everybody talks about how the visual impacts of this wind farm is so bad, but I live near the canal plant, and everybody talks about not in my backyard, but I have one in my backyard, and I'd rather be looking at windmills.

And that's about all I have to say.

ELDON BURGESS: My name is Eldon Burgess, B-U-R-G-E-S-S. My address is 108 Waterside Drive, Centerville, Mass.

I am wondering why it is that someone can come and put a tower on public lands by the ocean -- in the ocean when I am not allowed to put a pallet on my own land near the ocean?

And the collection data of the wind by this tower, for what kind of a period of time? Do they really believe one year's collection of data is sufficient to determine a wind over a long period of time?

That's all I have to say.

DAVID AUBREY: My name is David Aubrey. That's A-U-B-R-E-Y. My address is 9 Mallard Way in North Falmouth, and I'm making comments just as an individual.

I'd like to thank the Army Corps for allowing us to express our varied opinions on this matter. That's what makes America great.

Each year the Cape loses approximately 800 to 1,000 acres of land to the ocean. This land loss is because the water level is rising, because the land is sinking, and because the waves are continuously attacking the Cape.

This is not a supposition. These are the results from a scientific study conducted for

the Commonwealth of Massachusetts at the Woods Hole Oceanographic Institution by Doctor Graham Giese -- that's G-I-E-S-E -- and myself.

With the threat of accelerated climate change due to greenhouse effect, this scientific study showed that the rate of loss of the Cape might double to approximately 2,000 acres per year.

This is ocean-front property. This is the most expensive property on Cape Cod probably, and I'll leave it to you to figure out the value of that lost property.

What is causing this loss, in large part, is climate change and warming atmosphere, warming oceans, which is causing the water level to rise more and more. It's incumbent upon us in order to help preserve the Cape to find alternative sources of energies and renewable energy sources.

The proposed project, which is the construction of a data tower, will enable us to gather information that is required to find out whether one particular location along the Massachusetts shoreline is appropriate for this renewable energy -- for a renewable energy project.

I would encourage the Corps of Engineers

to respond favorably to the need to acquire information in order to evaluate the feasibility of this significant renewable energy project that will help not only Cape Cod but also help our global resources.

The information that is gathered at this tower not only will allow us to intelligently design renewable energy facilities, but they will also provide information that will be of value to a number of other public uses.

As a scientist at the Woods Hole Oceanographic Institution, I have been requested on occasion to lecture to the United States Coast Guard, their vessels -- their crews of their vessels in order to explain to them the complicated wave patterns and tidal patterns on Cape Cod.

Improved understanding of the wave and tidal patterns on Cape Cod will allow them to more effectively carry out their duties with regard to rescue operations and search operations. Having actual data in the Nantucket Sound will enable them to carry out the search and rescue function much, much more effectively than they can right now.

In addition, this kind of data is

necessary in order to respond effectively to other marine disasters such as oil spills.

There is no data like this available on Cape Cod. As a scientist, I can state unequivocally that we do not have good information about the currents and the wave conditions in Nantucket Sound.

By having the tower constructed, for whatever purpose, we will finally have these data that will be available operationally to the Coast Guard and to others.

I thank you for the opportunity to make this statement.

PETER WHITLOCK: My name is Peter Whitlock, P-E-T-E-R W-H-I-T-L-O-C-K. I live at P.O. Box 325, Eastham, Massachusetts 02642.

I addressed earlier this conference and spoke about the bird problem in relation to the wind farm.

I wanted to strongly encourage that the Army Corps take a good look at Brad Blodget's letter to Secretary Durand at the state level concerning the wind farm and take the impacts that he mentions there and the methods for studying them into account with respect to this individual tower as well as for

the 170 proposed wind towers.

When I was speaking before Mr. Rosenberg and the others earlier, I mentioned the importance of multiple years' worth of bird gathering data before allowing the wind farm to go forward. I didn't really explain why multiple years are necessary.

I've worked on several different projects, studying counts of migratory birds over several years. At Hawk Mountain where I worked in 1992, at that time, they had more than 70 years' worth of data at that time.

There are extremely significant variations in migratory bird counts from year to year, not just in numbers of birds but the species present. Mainly those variations are driven by variations in the weather from year to year. That is another thing to take into consideration with respect to this particular tower.

I suspect if the gentlemen here are honest and true in what they say about doing this tower, asking for it, so that they can confirm whether or not the area is economically viable for a wind farm, then it really should be a multiyear

project and not simply one year.

That's all.

W R I T T E N S T A T E M E N T S

* * * * *

Written Statement of Bradford G. Blodget

Submitted by Peter Whitlock

20 December 2001

NHESP File: 01-9640

Robert Durand, Secretary

Executive Office of Environmental Affairs

Attn: MEPA Office

251 Causeway Street, Suite 900

Boston, MA 02114

Project Name: Cape Wind Energy Project

Proponent: Cape Wind Associates, LLC

Location: Horseshoe Shoal, Nantucket Sound

Document Reviewed: Expanded ENF

EOEA #12643

Dear Secretary Durand:

We have reviewed the Environmental Notification Form (ENF) for the Cape Wind Energy Project and have serious concerns centering on the potential risks to migratory birds posed by the installation of an array of 170 wind turbines at

Horseshoe Shoal in Nantucket Sound. The installation of turbine towers in this section of Nantucket Sound could have potentially devastating impacts on globally significant populations of migratory birds moving in and out of Massachusetts, as well as between Cape Cod and the Islands. We are especially concerned about adverse effects to three major groups of birds: (1) rare species protected by federal and state endangered species laws, (2) wintering seabirds and sea ducks and (3) migrating shorebirds and songbirds.

Migratory bird resources are an integral part of the natural environment. Our state is richly endowed with birds. Massachusetts waters, at different seasons of the year, harbor globally significant populations of seabirds. In addition, as a seaboard state, great numbers of birds migrate north and south along our coast. Birds contribute immeasurably to the outdoor experience and the quality of life in Massachusetts. We believe this project needs to be very thoroughly evaluated in light of its potential risk to migratory birds.

We have discovered no systematically collected information on birds in the vicinity of

Horseshoe Shoal. Winter waterfowl surveys conducted by this agency---focusing on dabbling ducks and bay ducks---are conducted almost exclusively within a mile of shore. Passenger ferry routes pass to the eastward. There is totally insufficient information from the area on which to base any meaningful risk assessment.

We are quite concerned that the ENF's preliminary conclusions (at 7.5.3 on page 7-25) that avian risks are small or that bird use in the area is low are very premature and are based on inadequate data or no data at all. We cannot agree that available evidence supports the ENF's statement, "The probable absence of high use by birds is most important. Few species will be present or present long enough in the Project Area for significant risk to occur." We know of no data that could possibly support such a statement.

Our concerns are focused on three major groups of migratory birds: (1) listed species including the Common Tern (*Sterna hirundo*)[State Special Concern], Roseate Tern (*Sterna dougallii*) [State/Federal Endangered] and the Piping Plover (*Charadrius melodus*)[State/Federal Threatened];

(2) wintering sea ducks with particular concern for the Long-tailed Duck (*Clangula hyemalis*) [formerly known as old-squaw] and other seabirds; and (3) all other migratory birds with particular concern for "shorebirds" and songbirds (passerines).

Listed species. Proponent has conducted eight overflights (four each in July and September) looking for terns and reported sighting a group of Roseate Terns on one of the July flights and no other terns on any of the flights. To conclude from this that tern presence on the Shoal is "infrequent" not only ignores substantial periods of the year, but also the possibility of substantial variability in temporal and spatial utilization of the Horseshoe Shoal environment. There may be periods of time when substantial numbers of terns are consistently present, as well as brief periods of time when very large numbers (=flocks) of terns pass through the project area.

Although we are concerned about both Common and Roseate Terns, the endangered Roseate Tern is of particular concern. Intense multiagency efforts are currently underway---including seasonal restoration programs at Bird Island-Marion, Ram

Island-Mattapoissett, Penikese Island-Gosnold, Muskeget Island-Nantucket and at Monomoy Island-Chatham to recover the depressed northwest Atlantic population of this seabird. Note that these restoration efforts literally surround the Horseshoe Shoal. Over the last 100 years, approximately half of the northwest Atlantic breeding population of the Roseate Tern has occurred in southern Massachusetts waters between Chatham and Buzzards Bay. The restoration efforts also place great emphasis on restoration of colonies of Common Terns at the same sites noted above; Roseate Terns will only nest in large colonies of Common Terns.

One of the factors identified by the Roseate Tern Recovery Team¹ that may contribute to this seabird's rarity is the highly specialized feeding conditions and unique foraging skills required to exploit their prey. Heinemann² studied foraging patterns of Roseate Terns nesting at Bird Island-Marion in 1990-91 and identified six categories of foraging situations he encountered. It would seem likely that some combination of three of his defined types--shoal, shallows and school feeding--would be represented at Horseshoe Shoal.

Any disruption of the foraging ecology of Roseate Terns and/or any mortality of foraging terns would be unacceptable.

Massachusetts supported approximately 500 pairs of nesting Piping Plovers in 2001, the largest breeding group (35%) of Piping Plovers in the Atlantic coast population. Intensive recovery efforts here have largely driven improvement in plover numbers. Horseshoe Shoal is virtually at the very center of the core Piping Plover breeding range on the Atlantic seaboard. Although it would be difficult to document, we feel with virtual certainty that some plovers must fly through the Project Area at times and any impact to this population due to collisions would not be acceptable.

Wintering sea ducks/seabirds. We believe that closer study will likely reveal that substantial numbers of sea ducks and other diving seabirds (such as loons and grebes) are present at Horseshoe Shoal for long periods during winter months. As with terns, the presence of wintering seabirds is likely to exhibit substantial variability due to tidal conditions, prey

availability and daily movements to and from feeding grounds. Further, there may be variations in actual on-the-water bird use of the Project Area and movements of birds over the Project Area between and within seasons and years.

The Project Area may be in or near a night roosting area for significant numbers of Long-tailed Ducks. Each evening during the winter, flocks move northward from the open ocean into Nantucket Sound, passing over the western end of the island. Numbers have been estimated at about a quarter million birds, a wintering concentration of global significance³. The exact location where these birds settle for the night is unknown. The movement of this important group of seabirds should be better understood, including any variations or cyclicity in spatial and temporal distribution patterns both within and between seasons/years, before the risks to this population can be properly evaluated.

Other Migratory Birds. Millions of birds move across Nantucket Sound each year. Of particular concern would be impacts to migrating flocks of shorebirds. Globally significant foraging

and staging shorebird concentrations occur nearby at Monomoy Wilderness Area and South Beach, both in Chatham. The exact amount of shorebird traffic passing over Horseshoe Shoal is unknown. Another area of concern is migrating songbirds, especially in the spring and fall. We would be concerned about any mortality potentially associated with the towers. We believe that only detailed field work and risk assessment can address this concern. Seasonal movements of these birds occur over a broad front and at night. Movement patterns are significantly influenced by weather conditions, and it is quite likely there would be significant variation in movement patterns between years. The variability of migratory activity in any given area means that gathering and understanding what is truly representative data will be challenging.

Thorough field studies should be required to determine the presence of migratory birds and use patterns in the Project Area. We expect that to address some of the many unknown factors, several years of careful work may be required, using combinations of aerial and boat surveys, sound recordings, and radar studies.

We are also quite concerned by the magnitude of this proposal, especially in light of the facts that it has essentially no historical precedent and little is known about what effect, if any, the turbines will actually have on all migratory birds. Assuming good information on abundance and distribution are gathered, the issue of the actual impact must be addressed by a thorough risk assessment.

We have serious doubts, given the great variability exhibited by the movement patterns of birds generally, lack of precedent, and general absence of information on predicted mortalities, whether an acceptable risk assessment is even achievable.

We appreciate the opportunity to comment on this project.

Sincerely, Bradford G. Blodget

State Ornithologist

cc: Roseate Tern Recovery Team members

Thomas W. French, MassWildlife, Assistant

Director/NH&ESP

Hanni Dinkaloo, MassWildlife Endangered

Species Counsel

Ann Hecht, Chair, Atlantic Coast

Piping Plover Recovery Team

Michael Amaral, U.S. Fish & Wildlife Service

- 1 Roseate Tern Recovery Team. 1998. Roseate Tern Recovery Plan--Northeastern Population, First Update. U.S. Fish and Wildlife Service. Hadley, Mass., 97 pp.
- 2 Heinemann, D. <nd> Foraging Ecology of Roseate Terns Breeding on Bird Island, Buzzards Bay, Massachusetts-Final Rep. Manomet Bird Observatory. Manomet, Mass. 54 pp.
- 3 Davis, W.E., Jr. 1997. The Nantucket Oldsquaw flight: New England's greatest bird show. Bird Observer 25: 16-22.

* * * * *

Written Statement of Gil Newton

April 10, 2002

To Whom It May Concern,

I am writing in favor of the Scientific Measurement Devices Station proposed by Cape Wind Associates. The purpose of this station will be to gather important oceanographic data for the planned

wind farm at Horseshoe Shoals. Many issues have been raised regarding the environmental impact of the wind farm in this area. The data gathered will be essential information in order to arrive at a decision based on accurate science and not emotions.

It is unfortunate that the debate so far has relied on emotional feelings rather than the assessment of solid environmental data. Our knowledge of this specific coastal region will benefit from the construction of the station. It may alleviate some of the concerns that have been expressed regarding the wind farm project. Such baseline data may have other uses that can be applied to our understanding of the ecology of the area. The more we learn about these complicated marine systems, the better will be our policies in managing them.

I commend Cape Wind Associates for this proposal which should enhance our scientific understanding of Horseshoe Shoals and possibly other systems as well. This form of data gathering can only help all parties interested in the outcome of the wind farm, including the Army Corps of Engineers, as the project progresses through the

permitting process. I hope that this permit will be granted.

Sincerely,

Gil Newton,

Coastal Ecology Professor,

Cape Cod Community College

Science Department Head,

Sandwich High School

* * * * *

Written Statement of Jacalyn Barton

To: Army Corps of Engineers

Re: File number 199902477 - Cape Winds data tower

Date: April 11, 2002

The Cape Wind Project is less than 15 miles to Monomoy National Wildlife Refuge and even closer to nesting areas for threatened and endangered species.

Both the construction of the unprecedented 170 turbine Cape Wind Project and construction of the data tower may violate the Migratory Bird Conservation Act and the Endangered Species Act and is certain to impact those of us who

use this as our sanctuary.

The Cape Wind Project is sited on Horseshoe Shoal, which according to the Massachusetts Audubon Society, hosts one of the highest concentrations of sea ducks and terns on the Atlantic seaboard and provides ample feeding opportunities as it is along a major migratory flight way.

Tall, lighted structures such as this proposed data collection tower have been documented to present collision hazards to birds. Every year, millions of birds in the U.S. are killed by simply colliding with communications towers. And for the Roseate Tern, which is a federally listed endangered species whose population is struggling to survive, the death of one tern may significantly threaten the existence of the species. Multiply this threat by 510 turbine blades, and the hazard to these endangered species is frightening.

For the record, the main avian species of concern here on Horseshoe Shoal are:

- * Roseate Terns which are State and Federal Endangered Species.
- * Piping Plovers which are State and

Federal Threatened Species

- * And the Common Tern which is a State listed species of Special Concern.

In addition, there are:

- * Migrating shorebirds and songbirds
- * Wintering seabirds and sea ducks:
loons, grebes, and long-tailed
ducks.

In fact, Nantucket Sound holds one of the largest populations of migrating waterfowl anywhere on the Atlantic seaboard. Rough estimates are that anywhere from a quarter to a half a million birds use this area for half of the year, every year. All of these birds migrate and are the subject of the federal law known as the Migratory Bird Conservation Act.

Just as a comprehensive avian study is sure to be required under the Environmental Impact Study to assess the impact for the entire 170 towers, so is one needed for this one single tower.

Construction activities at sea should be no different than construction activities on land. In our community, to accommodate the rare species,

we have taken some dramatic steps.

In Barnstable nesting Piping Plovers have required the cancellation of Fourth of July fireworks at Kalmus Beach, and out of fear for the lives of hatchling plovers, we've excluded vehicles from driving on Sandy Neck Beach during nesting season. The proposed wind farm and its data collection tower is in the heart of the Piping Plover population in Massachusetts which, as mentioned before, is listed both at the State and Federal level as a Threatened Species.

The Roseate Tern is a State and Federally listed Endangered Species. A large percentage of the North American population of Roseate Terns pass through the Sound every year. Nearly half of the total nesting population nests in Buzzards Bay and spend significant amounts of time feeding on Horseshoe Shoal.

There have been a lot of concerns raised about the Cape Wind Project in general. It does not make sense to permit this test tower when the rigorous regulatory process is likely to require a multitude of studies that may not be addressed by this current Cape Wind proposal to build a data

collection tower. In addition, required studies and existing law and regulations may preclude the construction of this grand science project altogether.

Make no mistake, this data collection tower, as proposed, is for the benefit of a profit-making venture. The requirements of the Environmental Impact Study will address issues of public interest, and there may be considerably more data to be collected than could be accommodated by this one tower. So I would ask that you defer your decision until you have had, at the very least, a chance to look at the Cape Wind's EIS for the entire 28-square-mile project.

And if the Army Corps of Engineers are so bold as to allow the Test tower to move forward, please make certain that there is a bond posted to remove the structure. It would be a crime to see this data collection tower built on public land for private gain and then spend public tax dollars to remove it when the project falters.

Jacalyn Barton.

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Written Statement of Peter White
Statement of Peter White to the Army Corps of
Engineers

April 11, 2002

Barnstable Town Hall

Hyannis, MA

I support the proposal to install data-collection towers not only in Nantucket Sound, but also in all the possible locations in the region, including other areas of Cape Cod and the Islands, the Rhode Island and Connecticut coasts, and the Maine coastline. Land-based sites should also be studied. I believe that there are dozens of sites that are feasible for wind farms of various sizes, and the people of Cape Cod and New England need to know what our options are. Our long-term energy strategy must be regional in scope to be comprehensive.

Please monitor the drilling and installation process, and do not allow the use of barite or other drilling compounds that release mercury or other toxins into the environment.

I also request that you make all data available to the public, and that you cooperate with

representatives of Cape Cod consumers, including the Cape Light Compact, the Cape Cod Commission, the legislature, and town officials. The people of Cape Cod must be empowered to be able to influence any major developments in our area.

Thank you,

Peter White

C E R T I F I C A T E

We, Marianne Kusa-Ryll, Registered Merit Reporter, and Julie Thomson Riley, Registered Merit Reporter, do hereby certify that the foregoing transcript is a true and accurate transcription of our stenographic notes taken on April 11, 2002, and entry of statements included in the record.

Marianne Kusa-Ryll
Registered Merit Reporter
Certified Shorthand Reporter No. 116393

Julie Thomson Riley
Registered Merit Reporter
Certified Shorthand Reporter No. 1444S95